

Slide 1  
 Digests are one of the most useful resources for finding cases -- they group cases together based on the legal issues, and provide a brief description of the issues or facts in each case.

### Using Digests

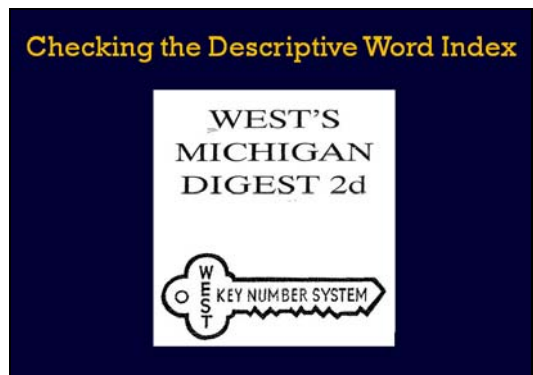
- Group cases together by legal issues
- Provide a brief description
- Use to decide which cases seem most pertinent

Slide 2  
 After reading these descriptions - a/k/a annotations - you can then decide which cases seem most pertinent to your research problem and merit further review.

### Using Digests

1. Check the Descriptive Word index for a specific subject
2. Use key number from the case you have to find similar ones
3. Use digest topic to find key numbers
4. Use case name to find key numbers

Slide 3  
 Digests can be used to find cases in four ways. The first way is to check the Descriptive Word Index for a specific subject. The other methods will be discussed in the second part of this tutorial.



Slide 4  
 The Descriptive Word Index is a detailed subject index for the contents of the digest. The entries in the Descriptive Word Index are tied to West's Key Number system, which is used in all the digests published by the West Publishing Company.

### Checking the Descriptive Word Index

| DIGEST TOPICS                                                                                                                     |                            |                                          |
|-----------------------------------------------------------------------------------------------------------------------------------|----------------------------|------------------------------------------|
| <i>See, also, Outline of the Law by Seven Main Divisions of Law preceding this section.</i>                                       |                            |                                          |
| <i>The topic numbers shown below may be used in WESTLAW searches for cases within the topic and within specified key numbers.</i> |                            |                                          |
| 1 Abandoned and Lost Property                                                                                                     | 42 Assumpsit, Action of    | 77 Citizens                              |
| 2 Abatement and Revival                                                                                                           | 43 Ayllons                 | 78 Civil Rights                          |
| 4 Abortion and Birth Control                                                                                                      | 44 Attachment              | 79 Clerks of Courts                      |
| 5 Absentees                                                                                                                       | 45 Attorney and Client     | 80 Clubs                                 |
| 6 Abstracts of Title                                                                                                              | 46 Attorney General        | 81 Colleges and Universities             |
| 7 Accession                                                                                                                       | 47 Auctioneers             | 82 Collusion                             |
| 8 Accord and Satisfaction                                                                                                         | 48 Audita Querela          | 83 Commerce                              |
| 9 Account, Action on                                                                                                              | 48A Automobiles            | 83H Commodity Futures Trading Regulation |
| 11 Account Stated                                                                                                                 | 48B Aviation               | 84 Common Law                            |
| 11A Accountants                                                                                                                   | 49 Bail                    | 85 Common Law                            |
| 12 Acknowledgment                                                                                                                 | 50 Bailment                | 86 Compensating Offenses                 |
| 13 Action                                                                                                                         | 51 Bankruptcy              | 89 Compromise and Settlement             |
|                                                                                                                                   | 52 Banks and Banking       |                                          |
|                                                                                                                                   | 54 Beneficial Associations |                                          |
|                                                                                                                                   | 55 Binary                  |                                          |

Slide 5  
 West has divided the body of the law into over 400 topics, ranging from "Abandoned and Lost Property" to "Zoning and Planning." These topics are then broken down into subtopics, each assigned a "Key number." These key numbers are the same in every jurisdiction, and thus once found, you can look for cases in many jurisdictions for the same subtopic without looking up a new key number for each jurisdiction.

### Descriptive Word Index

- Develop search terms that are specific to your case
- Look at
  - parties, places, and objects
  - acts or omissions
  - potential defenses
  - relief sought
- Who, What, When, Where, Why & How

Slide 6  
 To use the Descriptive Word Index, develop search terms that are specific to your case. Look at the parties, places, and objects involved in your case, as well as the acts or omissions, potential defenses, and the relief sought. Ask the basic journalist's questions: Who, What, When, Where, Why & How.

### Demonstration with Michigan Digest

- Suppose your client was pulled over for speeding in Michigan.
- When the police officer approached your client's car he noticed, with his professionally trained sense of smell, that there was a distinct odor of marijuana coming from your client's open window.
- Based on this, without a warrant, the officer searched your client's car and found a small quantity of marijuana.
- Was the search permissible?

Slide 7

To demonstrate how to use a digest to find cases, we will use the Michigan Digest for the following hypothetical: Suppose your client was pulled over for speeding in Michigan. When the police officer approached your client's car he noticed, with his professionally trained sense of smell, that there was a distinct odor of marijuana coming from your client's open window. Based on this, without a warrant, the officer searched your client's car and found a small quantity of marijuana. Was the search permissible?

### Potential Relevant Terms

- Drugs
- Marijuana
- Search
- Warrantless Search
- Vehicle Search
- Smell
- Scent
- Odor

Slide 8

Different researchers will come up with different terms, but some that might be relevant include Drugs, Marijuana, Search, Warrantless Search, Vehicle Search, Smell, Scent, and Odor. When you are using a digest it is not always easy to predict which issues will be a topic in the digest, so create more search terms rather than less.

### Expanding Search Terms

- Specific → General
- Examples:
  - Car → Vehicle
  - Drugs or Search → Criminal Law

Slide 9

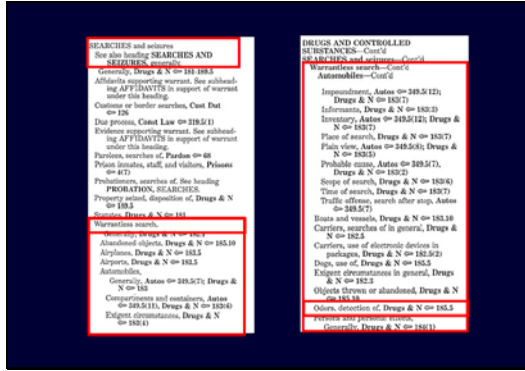
It is often best to start by searching for terms that are specific to your case; however, if that doesn't lead to anything, be prepared to search for more general terms. This often comes up when searching for specific factual terms.

### Drugs

**DRUGS AND CONTROLLED SUBSTANCES**  
See also heading **MEDICINE**, generally.  
**ACCOMPLICES** and accessories, liability of. Drugs & N ⇨ 75  
**ADDICTS**, commitment and treatment of. See heading **CHEMICAL DEPENDENTS, COMMITMENT** or treatment.  
**ADMISSIBILITY** of evidence, Drugs & N ⇨ 188  
See also heading **EVIDENCE**, generally.  
**AFFIDAVITS** in support of search warrant, Generally, Drugs & N ⇨ 188  
Ambiguity, Drugs & N ⇨ 188(3)  
Error or omission, Drugs & N ⇨ 188(3)  
Informants,  
Generally, Drugs & N ⇨ 188(4.1)  
Anonymous informants, Drugs & N ⇨ 188(7)  
Corroboration, Drugs & N ⇨ 188(6)  
Personal knowledge, Drugs & N ⇨ 188(5)

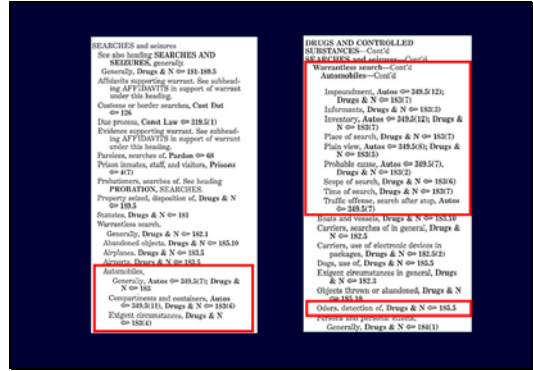
Slide 10

We will start with the term "Drugs". After locating the Descriptive Word Index volume that alphabetically includes the term "Drugs," look up "drugs". You will see that "Drugs and Controlled Substances" is the actual topic heading. Skimming the topic for more specific entries, we can turn to our other relevant terms like "marijuana." We find that there is no entry under Drugs for that term; we'd need to look up "marijuana" separately.



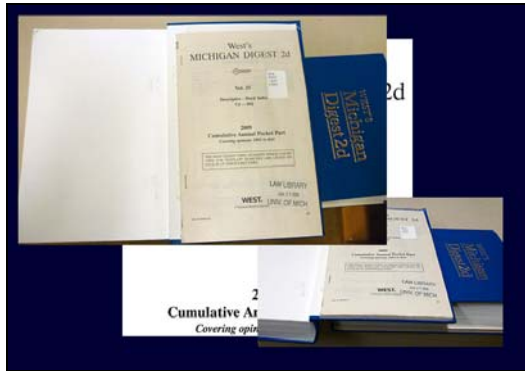
Slide 11

There is a subject "Searches and Seizures", below which are more specific terms. In particular "warrantless search" is relevant to our case. Notice that Warrantless search is broken down further into subtopics with key numbers. Our case dealt with smell, so look under the warrantless search heading for a subtopic addressing smell. Here we see there is a subtopic "Odors."



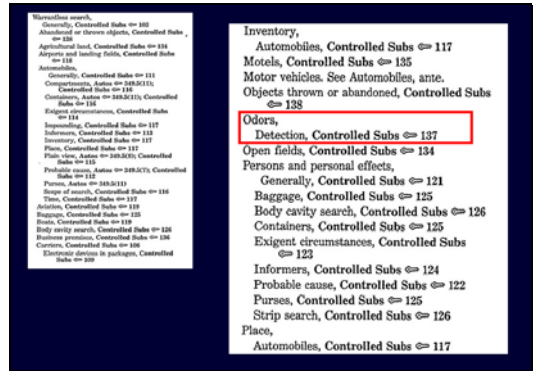
Slide 12

Next to the subtopic "odors" you will see "Drugs & N key 185.5." This means that any cases categorized under this topic will be found in the "Drugs and Narcotics" Digest Topic at key number 185.5. If you find other terms while looking through the Descriptive Word Index, it is often helpful to look up those key numbers as well. For example, under warrantless searches there was also a subtopic entitled "automobiles" which was broken down even further into specific key numbers.



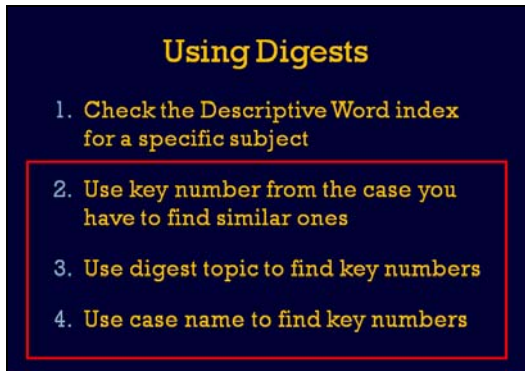
Slide 13

Like other resources, Digests, including the Descriptive Word Index, are updated via pocket part. To make sure that the key number information we have is updated, look at the pocket part.



Slide 14

Follow the same path in the pocket part as we used in the index, first look up Drugs, then Searches, followed by warrantless search and finally odor, and here we can see that the key number has been changed from Drugs & N Key 185.5 to Controlled Sub Key 137. West Key Numbers and Digest Topics sometimes change with updates in the law and legal terminology. We will discuss this subject more in a later tutorial.



Slide 15

This is only one way to find potentially relevant key numbers using the Digests. Part 2 of this tutorial will outline the other three methods to be described.