11-1992

Vol. 03, No. 03 (November 1992)
MAJOR ENHANCEMENTS ON LEXIS/WESTLAW

WESTLAW Takes Step Toward Artificial Intelligence With New WIN Search Capability

West Services, Inc. has recently announced an electronic breakthrough with the introduction of its WIN ("Westlaw is natural") search capability. WIN enables Westlaw researchers to search American case law by simply asking the computer a question. The obvious elegance of this capability is that in many cases, and for many types of research, legal professionals do not have to familiarize themselves with boolean logic or esoteric search syntax.

In most cases, legal researchers will be able to use Westlaw with little or no knowledge of Westlaw search syntax. For example, let's assume a researcher faces the problem of trying to determine if a manufacturer can be sued in strict liability for manufacturing a defective product in Indiana. Now, the researcher could enter the Indiana case law database through the menu, or by entering IN-CS. Once in the database a possible search might look like this, MANUF! /s "STRICT LIABILITY" /s DEFECT! /s PRODUCT.

Beginning no later than November 19, 1992, Westlaw users will have the option of searching case law using WIN. The default search technique will still use boolean logic in the form of Westlaw search syntax. However, by entering NAT and pressing ENTER, the inexperienced Westlaw researcher can search Indiana case law by simply typing the following question, "Can a manufacturer be sued in strict liability for making a defective product?" The researcher need not worry about selecting appropriate key words and phrases, choosing applicable synonyms, considering the use of root expanders, or worry about what grammatical connectors to use. Once the question is typed in, WIN technology takes over, interprets the request, and retrieves what it considers to be the most relevant case law.

WIN uses the researcher’s question to perform a search, but not by translating it into Westlaw search syntax. The system interprets the researcher’s request by identifying all of the words and phrases in the request and performing a statistical comparison of the search query terms against the documents in the database in which the query has been entered. In order to identify the search terms, WIN can compare them to an online dictionary of legal terms. WIN performs most of its statistical analyses using two basic principles. First, the more often the term appears in the document, the more likely it will be relevant. Secondly, query terms or phrases that appear infrequently in the database, but frequently in certain documents, are likely to be good indicators of which documents are relevant. Other search algorithms refine and build upon these two basic principles.
WIN results are displayed in the order of relevancy, not in reverse chronological order as is the case with reviewing results from traditional boolean searches. In the searches this author conducted using both Westlaw methods, more relevant cases were found using WIN than by using traditional boolean logic; in some searches, as a matter of fact, up to four times as many cases were found.

WIN seems to be a new, powerful tool in the Westlaw repertoire; a tool that should give a wider user population of legal researchers (primarily ones unfamiliar with the vagaries of computers or using them) access to Westlaw. For the competitive minded, Mead Data Central (Lexis/Nexis) is engaged in the development of a similar natural language system, but is at least two years away from practical implementation according to most reports.

This year's IL class will be trained on both the new WIN system and the traditional boolean system next Spring. Faculty and Law School/Law Library staff will be trained as soon as practicable after WIN's introduction date in November. Stay tuned for exciting, further details.

CNN and NPR Transcripts Now Available on Lexis/Nexis

Transcripts from CNN programming are now available on Lexis/Nexis. Both news shows and specific programs are included in the new file. News show availability usually occurs within 4 to 18 hours after the show has aired on CNN. Non-news programs become available within 12 to 72 hours after airing. Coverage for both formats begins January 1, 1992.

To access CNN transcripts, use the NEXIS library designation and the CNN file name. Special exclusions of the CNN file include weather, sports, recipes, events routinely transcribed and available elsewhere (i.e. Presidential press conferences, Congressional hearings, etc.), and wire service or other non-CNN news reports.

Also new to the transcripts field on Nexis is programming from National Public Radio. Coverage is from January, 1992 and material is available within 24-72 hours after the show has aired. New material is updated daily, Monday-Sunday. To do a search in the National Public Radio file, use the NEXIS library designation and the NPR file name.

While not new, the MacNeil/Lehrer NewsHour is also available on Nexis. Programs are available within three-four days of publication date. Coverage is daily, Monday-Friday and begins in January, 1982. The appropriate library designation is NEXIS, and MACLEH is the correct file name.

Finally, ABC News transcripts are available in the NEXIS library and the ABCNEW file. The material is usually available within 12-48 hours after the show has aired. The transcripts are updated daily, Monday-Friday and coverage runs from January, 1990 to the present.

NEW & NOTEWORTHY: Art Imitates Law


In his final days of life, New York litigation and entertainment attorney, Jay Wishingrad dotted his last "i"'s and crossed the final "t"'s of his life. Working from his hospital bed, where leukemia imprisoned him, he finished the introduction to LEGAL FICTIONS just hours before his death. In a recent New York Times article, Wishingrad's widow commented on her late husband's drive to finish his book: "What Jay really wanted to do was to get lawyers to read. He felt so many of them spent so little time reading anything other than their briefs and advance sheets, and was hoping to entice them into the world of literature."

LEGAL FICTIONS is not another collection of fiction written by lawyers. LEGAL FICTIONS is not another collection of fiction written about dedicated young public defenders fighting an uphill battle in the criminal justice system, only to discover that in the end, they had become of part of that grade. What LEGAL FICTIONS is, is a collection of prose written by an unprecedented group of writers that use fiction to explore how the legal system is viewed by society.

Unlike so many other subject collections of fiction, Wishingrad had the vision to include works by females, African-Americans, Europeans, Africans, and Canadians. The environments of the stories range from
Victorian England to the present day world of corporate Wall Street. Among the authors whose works are included in LEGAL FICTIONS are: Isaac Bashevis Singer, Herman Melville, Franz Kafka, John Mortimer, Garrison Keillor, Margaret Atwood, Charles W. Chesnutt, Graham Greene, Nadine Gordimer, Thomas Wolfe, Alice Adams, and Irwin Shaw.

In his introduction, Wishingrad ponders the question, "does the short story bear any similarities to any of the myriad legal documents that lawyers produce?"

... a short story is in many ways akin to the so-called "fact statement" in a legal brief - a lawyer's written argument to the court on a client's behalf.

Both the short story writer and the lawyer must succinctly give the reader - whether at home or in a judge's chamber - a concrete sense of time and place. The short story writer must then swiftly paint a vivid word picture of the fictive protagonists; the lawyer, too, must, in the opening pages of the fact statement in the brief, explain the content out of which the lawsuit arose and identify the parties to the lawsuit so that they stand out sharply against the abstract landscape of the legal arguments that follow. Finally, the short story writer and the lawyer must, through the characters' or parties' words and actions, as juxtaposed against the circumstances they are mired in, delineate character traits and motivations.

Jay Wishingrad's dream of enticing lawyers into the world of literature is now dependent upon the legal community's willingness to view their world from the outside. If they are willing, Wishingrad has provided the perfect legal brief.

Dick Vaughan,
Acquisitions & Serials Control Librarian

**STATE REPORTERS**

The State Reporters collection is the fourth special collection to be discussed in this series of articles. These reporters are the official publications of cases determined in a state's supreme court and/or appellate courts. In addition, some states such as Pennsylvania, Ohio, Maryland, and New York have published reporters that go down to the trial court or specialty court level. These reporters are located on the 3rd floor of the library and are arranged alphabetically by state. In addition to the states, we have reporters from American territories and commonwealths such as Puerto Rico, the District of Columbia, and the Virgin Islands.
Rico, Guam, American Samoa, the Virgin Islands, and even a Native American tribe—the Navajo Nation.

In the earlier years of the republic, state court cases, according to one author "often deal[t] with the most basic issues of American life. For example, in investigating the state court response to Story's opinion in Swift v. Tyson, one can find discussions of the relative role of commerce and agriculture in American life in the course of deciding questions of negotiability." (William P. LaPiana, "Dusty Books and Living History: Why All Those Old State Reports Really Matter," 81 Law Library Journal 37 (1989)). Thus, they have significant historical value because they represent the development of law and government in the United States. However, since the development of the West regional reporter system, the use of these official reporters has notably dropped. The West regional reporter system began with the North Western Reporter in 1879, and proved to be so popular that John West continued adding reporters so that by 1887 he had the entire country covered. The West reporters began to supplant the official state reporters in popularity due to their more rapid publication and annotations. This move in usage by the legal community has caused many states to cease publishing official reporters and instead they have adopted the West regional reporter as the official source of cases. Twenty-one states, including Indiana, have ceased publishing official state reporters, while twenty-eight states continue to publish their reporters. The one additional state is Alaska which has never published an official state reporter.

The State Reporters collection is located on the 3rd floor of the library, following the federal material, the West reporters, and the 3rd floor reference collection.

Mike Maben, Cataloging Librarian

DON'T FORGET THE LOOSELEAFS!

Need to compare the sales tax regulations of all fifty states? Looking for a complete collection of SEC forms? Searching for the current status of a Congressional bill, or a paper copy of a U.S. Supreme Court decision handed down last week? If these questions look like research nightmares to you, then you've obviously overlooked the title of this article: there is a looseleaf reporter that will provide the answers to each one of these questions.
What is a looseleaf reporter? The reporters are commercially published reference works that usually occupy more than one volume and are published in ringed binders for quick supplementing and refiling (and hence the name looseleaf reporter). Each looseleaf set covers one specific area of law, most typically a subject with a strong statutory and regulatory emphasis. Looseleaf publishers seek to establish their sets as the most complete collection of essential documents for the practitioner and researcher. The sets, then, often contain the pertinent federal and state statutes, administrative rules and regulations, required forms, case notes, commentary and editorial practice pointers. Many looseleaf sets will include the full text of all relevant cases, some of which will not be available in any other case reporting service. To insure that the set is current and timely, publishers send subscribers regular updates and new pages to be filed into the sets.

The Law Library's collection of looseleaf reporters is shelved in the Reading Room, and notebooks containing a list of the reporters and their call numbers are located on either side of the Reading Room. Once you have selected the reporter covering the subject of your research, you will need to learn how to use the reporter set. While each looseleaf reporter has its own unique system of organization, looseleaves produced by the same publisher tend to follow similar patterns. Commerce Clearing House (CCH) looseleaf sets are almost always organized according to the federal code establishing the law of the reporter's coverage, with the pertinent federal regulations, forms, practice tips and case notes appearing after each section of the code. Whenever you use a CCH looseleaf reporter, always check the blue tab in the front of the first volume-- you'll find a straightforward guide on how to use that particular reporter. Sets published by the Bureau of National Affairs (BNA) often take the form of weekly news reports, supplemented by copies of primary documents such as cases, regulations and statutes. These news reports are indexed on an annual or biannual basis, and published cases will be gathered into an accompanying reporter set complete with digests. Other major looseleaf reporters usually are organized by subject and resemble specialized treatises or encyclopedias.

Like all other legal reference materials, the looseleaf reporters require an initial investment of time and attention if you want to get the maximum use out of them. When you consider, however, the wealth of information gathered together in the reporters, information that may not be available anywhere else, you'll see that it's well worth your effort to learn more about these resources. As always, if you encounter any difficulty using the looseleaf reporters, please feel free to contact a reference librarian for assistance.

Keith Buckley,
Reference Librarian

IMPORTANT FACTS ABOUT INDIANA (NOT!)

So, you've heard enough campaign jargon and think you know all there is to know about politics. Don't be so sure. Here are a few facts concerning politics and government here in Indiana you probably weren't aware of.

The first national political party organized in Indiana, the Greenback Party, was formed in Indianapolis in 1874. The party's platform advocated paying off the national debt in greenbacks. Their first national convention was held in Indianapolis, May 17, 1876, choosing Peter Cooper of New York as a presidential candidate.

The only Hoosier to be governor, lieutenant governor, state senator, president pro tempore of the state senate, and a state representative was Paris Chipman Dunning. Originally from North Carolina, Dunning lived in Bloomington and his home, located at 3rd & Jackson Streets, still stands and is currently occupied by a law firm. Dunning was a state representative from 1833 to 1836 and a state senator from 1836 to 1840. He became governor in 1848 when James Whitcomb was elected to the U.S. Senate and served in that capacity for one year. He returned to the state senate again in 1863 and later became its president.

The first and only Hoosier to be censured by Congress was William Dallas Bynum, once mayor of Washington, Ind., who was formally censured in 1890 after calling a representative from Pennsylvania a liar and a perjurer.

The most votes ever received by a political candidate while in prison were the 915,302 received by Eugene V. Debs of Terre Haute in the presidential election of 1920. Debs, running for President as a socialist, was imprisoned on conviction of violating the Espionage Act during a speech he delivered in Canton, Ohio.
And possibly the most worthless little-known Hoosier political fact we could find—the tallest pole constructed in Indiana is believed to have been one created in Shelbyville in 1876 by Democrats campaigning for Samuel Tilden for President and Thomas A. Hendricks, Indiana Governor, for Vice-President. The pole, 229 feet tall, was erected after Republicans had put up a 120-foot pole (we are not sure why). After Tilden lost the election to Rutherford B. Hayes, the Democrats’ pole was cut up and made into canes which were sold to pay for campaign costs. And you thought immature campaign antics were a recent phenomenon!

Nonie Watt,
Head of Technical Services

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**LAW LIBRARY THANKSGIVING HOURS**

**NOVEMBER 24 - 29, 1992**

<table>
<thead>
<tr>
<th>Date</th>
<th>Hours</th>
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<tbody>
<tr>
<td>November 24, Tuesday</td>
<td>7:30 a.m. - 6:00 p.m.</td>
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<tr>
<td>November 25, Wednesday</td>
<td>9:00 a.m. - 5:00 p.m.</td>
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<tr>
<td>November 26, Thursday</td>
<td>CLOSED</td>
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<tr>
<td>November 27, Friday</td>
<td>9:00 a.m. - 5:00 p.m.</td>
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<tr>
<td>November 28, Saturday</td>
<td>9:00 a.m. - 5:00 p.m.</td>
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<tr>
<td>November 29, Sunday</td>
<td>RESUME REGULAR HOURS</td>
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**WORKING THE HALLS**

Welcome to new staff members in the Law School:

Sheryl Lockridge in the Dean’s Suite;
Christopher Olsen in the second floor secretarial area;
Merrilee Biagioni, assistant to Dean Lotz and Kathy McCarnes;
Marcy Heshelman in the Development Office; and
Amy Lynn, the Interview Coordinator in the Career Services Office.

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Happy Birthday to all those born in November!!

Professor Jost Delbrück on November 3rd;
Professor Dan Conkle on the 10th;
Professor Doug Boshkoff on the 11th;
Professor Carol Parker and Dick Vaughan in the Library on the 12th;
Professor Tom Schornhorst on the 18th;
Professor Cathy Crosson on the 21st;
Professor Rebecca Rudnick and Dodie Bowman on the 3rd floor on the 26th.

Hope you all have a great day!!!