

# Using Shepard's® Citation Service on Lexis

## How to *Shepardize*™ a Case in Lexis+®

The most common use for the *Shepard's* Citations Services is determining if a case is “Good Law,” valid and citable. This process is referred to as *Shepardizing*.

*Shepard's* provides a comprehensive report of the cases, statutes, secondary sources, and annotations that cite your document, including more recent cases that rely on your starting case.

## Shepardizing: Running the report

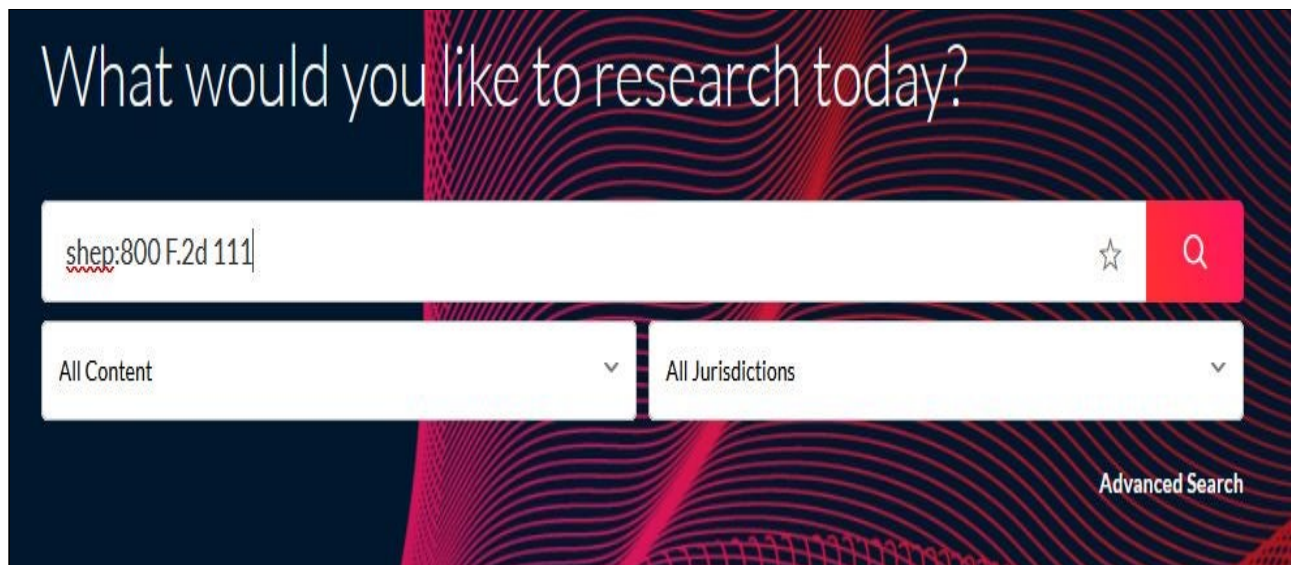
Retrieving a *Shepard's* report for your case can be done in various ways.

### 1. Shep: enter your citation directly into Lexis

The easiest way to *Shepardize* a document if you know its citation is to simply enter “shep:” followed by the citation, and click on the search button as shown.

For example:

Enter **Shep: 800 F.2d 111**



The *Shepard's* report will display.

## 2. Preview pane within case view

If you already are looking at your case in *Lexis*, the case will have a *Shepard's* signal by the title that gives you an immediate indication of its precedential value. In the example case, the red stop sign shape indicates that this case has been overturned on at least one legal issue. Hover over any *Shepard's* signal to see a short definition.

You can also detect possible issues in the *Shepard's* preview pane visible on the right side of the page.

The screenshot shows the Lexis+ interface for the case **McNeil v. Econs. Lab.** The case is from the 7th Circuit Court of Appeals, dated August 27, 1986, with citation 800 F.2d 111. The interface includes a top navigation bar with the Lexis+ logo, a search icon, and user options like 'Client: -None-', 'History', and 'Help'. Below the navigation bar, there are tabs for 'Document', 'Citing Decisions 132', 'Other Citing Sources 62', 'History 5', and 'Table of Authorities 28'. The main content area displays the case title, a 'Copy Citation' button, and the court name: 'United States Court of Appeals for the Seventh Circuit'. It also shows the filing date: 'February 13, 1986, Argued ; August 27, 1986, Decided ; August 29, 1986, Filed' and the case numbers: 'Nos. 85-1332, 85-1398'. The 'Reporter' section lists '800 F.2d 111 \* | 1986 U.S. App. LEXIS 29174 \*\* | 41 Fair Empl. Prac. Cas. (BNA) 1789 | 41 Empl. Prac. Dec. (CCH) P36,492'. The parties are listed as 'JOHN W. McNEIL, Plaintiff-Appellee, Cross-Appellant v. ECONOMICS LABORATORY, INC., Defendant-Appellant, Cross-Appellee'. The 'Prior History' section states: '\*\*1] Appeals from the United States District Court for the Northern District of Illinois, Western Division, No. 81 C 20150 - Stanley J. Roszkowski -, Judge.' The 'Disposition' is 'AFFIRMED.'. On the right side, a 'Shepard's' report preview pane is highlighted with a red box. It shows a 'Warning' icon and a 'Why?' link. Below this, it states 'No negative subsequent appellate history.' and 'Citing Decisions 132'. A bar chart shows the distribution of citing decisions: Warning (1), Questioned (1), Caution (6), Positive (10), Neutral (5), and Cited (112). At the bottom of the preview pane is a button labeled 'Shepardize® document'. Below the preview pane is the 'Source Information' section, which identifies the source as '7th Circuit - US Court of Appeals Cases'.

Once you click on the signal indicator, the full *Shepard's* report will display with details on each citing decision. Alternatively, click on “*Shepardize document*” in the preview pane.

## Anatomy of the Report

The screenshot shows the Lexis+ interface for a Shepard's Citing Decisions Analysis report. The report title is "McNeil v. Economics Laboratory, Inc..." from the 7th Cir. Ill. on August 27, 1986. A navigation bar at the top highlights four categories: Document, Citing Decisions (132), Other Citing Sources (62), History (5), and Table Of Authorities (28). The main area features a "Narrow by" sidebar with analysis categories (Warning, Questioned, Caution, Positive, Neutral, Cited by) and filters for Court and Agency Decisions. A central bar chart displays the distribution of these categories across various courts. A red box labeled "Filters to focus your research" points to the "Narrow by" sidebar. Another red box labeled "Sort options" points to a dropdown menu with options: Analysis (Red to Blue), Discussion (High to Low), Court (Highest to Lowest) (checked), and Date (Newest to Oldest). A smaller red box also highlights the "Sort by" dropdown menu.

## Report Categories

The *Shepard's* Report displays results in **four** categories with links to each appearing on the top left pane, each containing valuable information about the document you *Shepardized*: Citing Decisions, Other Citing

Sources, History, and Table of Authorities. “Document” takes you back to the case you are *Shepardizing*.

This article primarily covers “Citing Decisions” since those primarily affect the precedential value of the case. The other categories include:

**Other Citing Sources:** Secondary sources and statutes citing your case. You can focus this down to include statutes, law reviews, treatises, and/or court filings. *Search within Results* allows you to narrow your search results to terms of interest. For statutes, these also include related regulations.

**History:** the previous and subsequent history of the specific case you are *Shepardizing*. For statutes, this is the history of the passage and amendment of the statute.

**Table of Authorities:** Lists all cases, statutes, etc., cited within the specific case you are *Shepardizing*.

### “Narrow by” Pane: Filter your results

While viewing “Citing Decisions,” you can enter additional search terms, or use various tools:

**Narrow by**

**Analysis** ^

- + ■ Warning 1
- + ■ Questioned 1
- + ■ Caution 6
- + ■ Positive 10
- + ■ Neutral 5
- "Cited by" 112

Select Multiple

---

**Court** v

---

**Agency Decisions** v

---

**Publication Status** v

---

**Discussion** v

---

**Headnotes** v

---

**Timeline** v

**Analysis:** How have later cases treated the case? Has it been overturned? Is it followed as an important source of law?

**Court:** Limit results by Federal, State, or specific circuit or court

**Agency Decisions:** Limit results by Federal, State, and/or specific agency

**Publication Status:** Published vs. unpublished

**Discussion:** Which later cases have discussed the case in depth, and which have simply cited to it?

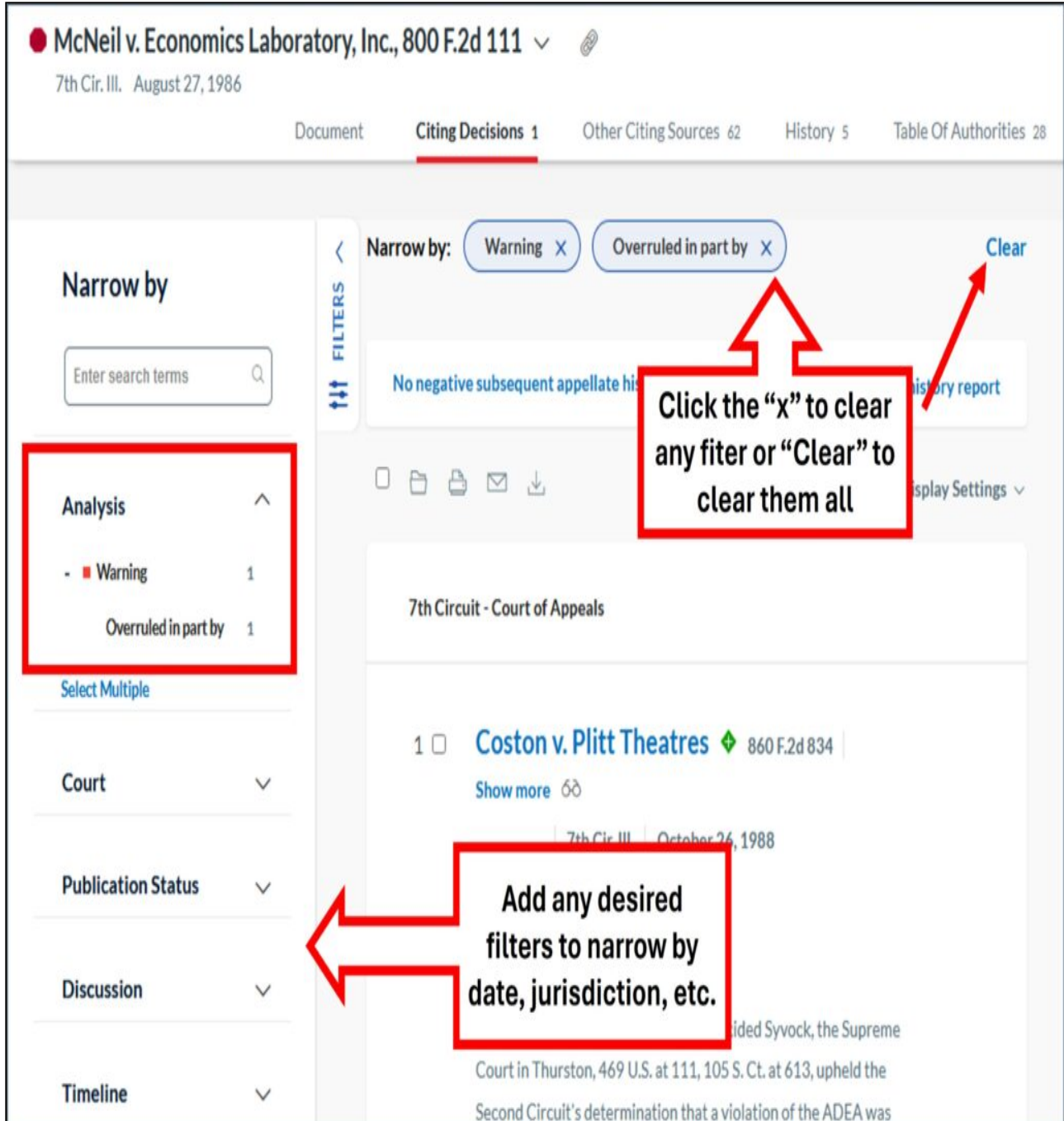
**Headnotes:** Selecting only cases discussing the the topic of interest


**Timeline:** Select a range of dates for cases of interest

Each of these options contains its own filters. Courts, Agencies, Publication Status, and Timeline are fairly self-explanatory. Here are some examples of the remaining options.

**Analysis:**

For instance, you can choose to view only negative analysis to quickly determine if your case is good law:



**McNeil v. Economics Laboratory, Inc., 800 F.2d 111** ▾ 

7th Cir. Ill. August 27, 1986

Document **Citing Decisions 1** Other Citing Sources 62 History 5 Table Of Authorities 28

**Narrow by**

Enter search terms

**Analysis** ^

- **Warning** 1
- Overruled in part by 1

Select Multiple

Court ▾

Publication Status ▾


Discussion ▾

Timeline ▾

Narrow by: Warning X Overruled in part by X [Clear](#)

No negative subsequent appellate history report

7th Circuit - Court of Appeals

1  **Coston v. Plitt Theatres**  860 F.2d 834 | [Show more](#) 60

7th Cir. Ill. | October 26, 1988

ided Syvock, the Supreme Court in Thurston, 469 U.S. at 111, 105 S. Ct. at 613, upheld the Second Circuit's determination that a violation of the ADEA was

**Click the "x" to clear any filter or "Clear" to clear them all**

**Add any desired filters to narrow by date, jurisdiction, etc.**

When looking at the search results with any options, the current filters appear at the top of the results panel. To remove these filters and go back to the full set, click a the filter to dismiss it or "Clear" to dismiss them all.

To narrow by more than one category under a filter, click on Select Multiple, select the checkboxes for the categories you want to narrow your results to, and select OK.

**Note:** Each time you narrow your results, the results are cumulative. For example, you can narrow your results to cases, then to a specific time line within those cases, and then to a specific jurisdiction or court within those cases in the timeline.

**Discussion:**

Discussion refers to how much detail the case goes into when discussing your *Shepardized* case. In our example case, we can see that most cases only cited it, while 13 mentioned it specifically, and nine discussed it in depth. Those nine may be the most helpful in your research.



McNeil v. Economics Laboratory, Inc., 800 F.2d 111  
7th Cir. Ill. August 27, 1986

Document Citing Decisions 132 Other Citing Sources 62 History 5 Table Of Authorities 28

Narrow by

Enter search terms

Analysis

Court

Agency Decisions

Publication Status

Discussion

Discussed 9

Mentioned 13

Cited 91

Select Multiple

Shepard's® Citing Decisions Analysis

No negative subsequent appellate history View history report

Legend Display Settings

736 F. Supp. 1267 p.1270

..., or at least to the phase out or "managing out" process said to have occurred in this case. That the statements were purportedly made by King rather than by those directly responsible for plaintiff's termination and did not expressly concern positions in plaintiff's job category is noteworthy. However, these facts are not dispositive given that King was an executive of the defendant company.

**Headnotes:**

Another useful tool is the ability to focus by headnote, to find cases that only discuss the specific issue you need.

When you *Shepardize* your case you may find a long list of cases that cite to your decision. In our example case, there are 132.

**McNeil v. Economics Laboratory, Inc., 800 F.2d 111** ✓

7th Cir. Ill. August 27, 1986

Document **Citing Decisions 132** Other Citing Sources 62 History 5 Table Of Authorities 28

Court: 2nd Circuit - U.S. District Courts

Agency Decisions

Publication Status

Discussion

**Headnotes**

View text of headnotes

HN16	70
HN17	16
HN18	13
HN14	11
HN6	6

View text of headnotes

Age Discrimination, ADEA Enforcement

1  **Buscemi v. PepsiCo, Inc.** 736 F. Supp. 1267 Show more

Southern Dist. N.Y. April 16, 1990

67 p.1270

the phase out or "managing out" process said to have occurred at the statements were purportedly made by King rather than by responsible for plaintiff's termination and did not expressly ins in plaintiff's job category is noteworthy. However, these facts five given that King was an executive of the defendant company concerned personnel policy. No closer connection is necessary.

**McNeil v. Economics Laboratory, Inc., 800 F.2d 111, 116-117 (7th**

2  **Nobler v. Beth Israel Medical Center** 715

F. Supp. 570 Show more

Southern Dist. N.Y. June 13, 1989 HN16

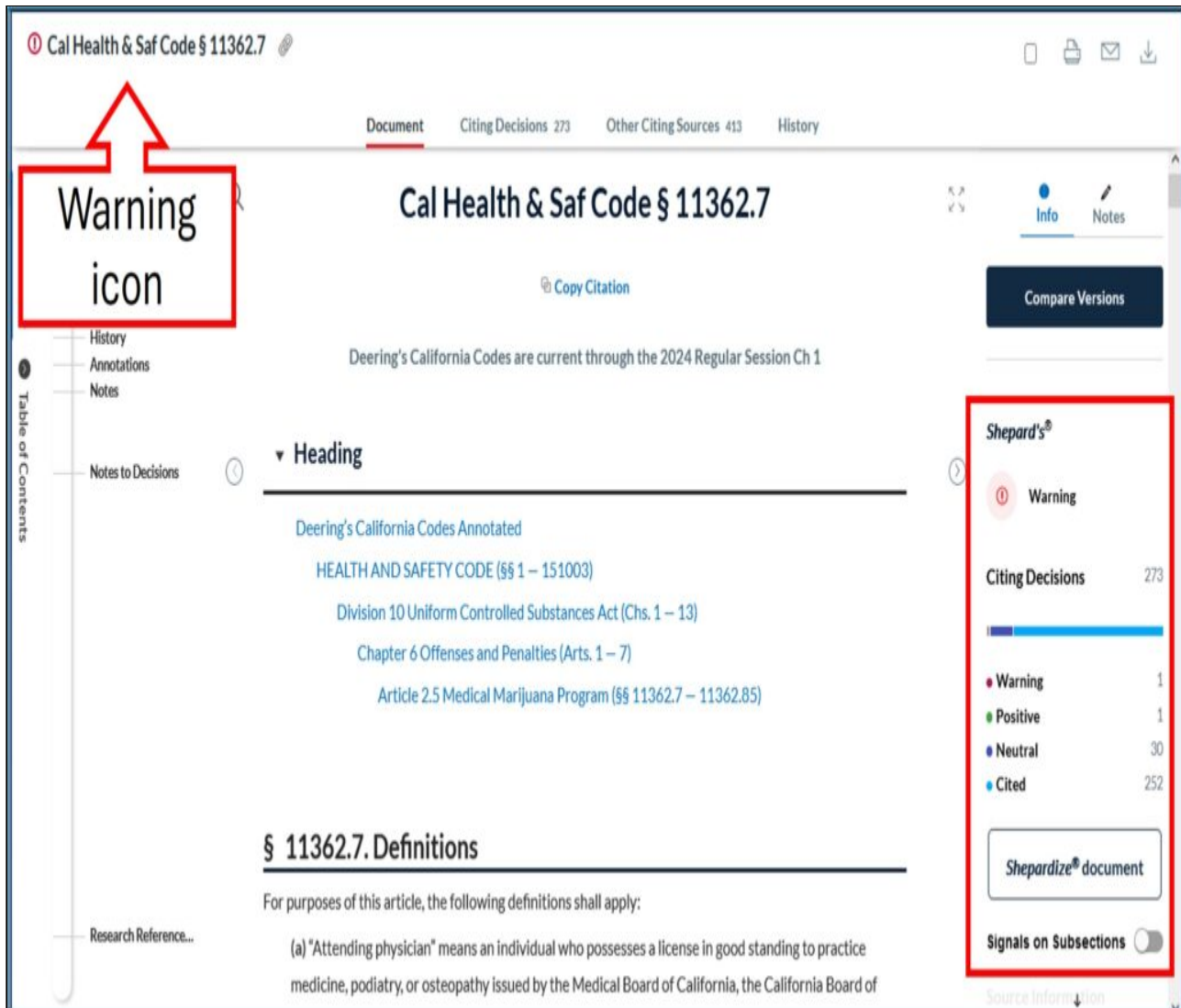
With *Lexis* headnotes you can identify when a citing case discusses an issue similar to one or more of the *Lexis* headnotes of the case you *Shepardized*.

In the headnotes box, the number indicates how many times each *Lexis* headnote from your *Shepardized* document is identified to a citing case within this report.

The links indicate which headnotes are referenced in each document. Resting the cursor on a headnote displays the topic of the headnote.

## Shepard's for Statutes

The *Shepard's* service also covers statutes. For the most part, the tools work the same way. You can either type "Shep:" and then the citation, or navigate to the *Shepard's* report from the text of the statute itself.



Cal Health & Saf Code § 11362.7

Document Citing Decisions 273 Other Citing Sources 413 History

Cal Health & Saf Code § 11362.7

Copy Citation

Compare Versions

Deering's California Codes are current through the 2024 Regular Session Ch 1

▼ Heading

Deering's California Codes Annotated

HEALTH AND SAFETY CODE (§§ 1 – 151003)

Division 10 Uniform Controlled Substances Act (Chs. 1 – 13)

Chapter 6 Offenses and Penalties (Arts. 1 – 7)

Article 2.5 Medical Marijuana Program (§§ 11362.7 – 11362.85)

§ 11362.7. Definitions

For purposes of this article, the following definitions shall apply:

(a) "Attending physician" means an individual who possesses a license in good standing to practice medicine, podiatry, or osteopathy issued by the Medical Board of California, the California Board of

Shepard's®

Warning

Citing Decisions 273

Warning 1

Positive 1

Neutral 30

Cited 252

Shepardize® document

Signals on Subsections

### Court treatment of subsections

One important difference in the reports: Instead of headnotes, the statutes offer a way to view reports focused on a subsection of the statute. Clicking the link brings up a list of available reports based on courts

commenting on a single section or a related set of sections, which is very helpful when a statute is lengthy and discusses several discrete topics.

Shepard's® Comprehensive Report: Cal. Health & Safety Code sec. 11362.7

Document **Citing Decisions 273** Other Citing Sources 413 History

Narrow by

Enter search terms

Analysis

Court

Agency Decisions

Publication Status

Timeline

Shepard's® Citing Decisions Analysis

See court treatment of subsections

Subsection Reports

Citing Decisions (13) | Other Citing Sources (1)

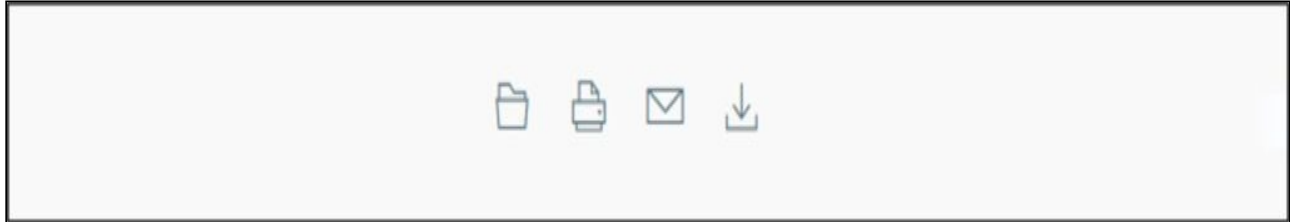
8 Cal. Health & Safety Code sec. 11362.7 (a)  
Citing Decisions (3) | Other Citing Sources (6)

9 Cal. Health & Safety Code sec. 11362.7 (b)  
Citing Decisions (3) | Other Citing Sources (1)

## Delivering your report

Each report category has options that let you save, print, download and email your report. Just above the first case in the report, you will find icons for Folder (not active in the Law Library), Print, Email, and Download.

Click on the icon of choice.



**Print:** Choose whether you want to print a single document, or print the results list.







To print the results list: while viewing your results list, select the specific results you want to print. If you do not make a selection, it will default to printing all cases. To print a single document: while viewing the results list, open the specific document you want to print.



**Email and Download:** The controls are very similar to the Print controls. One difference is that in those two options, you can choose between PDF, Word, or Word Perfect format.

## **Shepard's Signal™ Indicators**

The *Shepard's* Signal indicators are integrated into case law documents and provide an immediate indication of the subsequent history and treatment of a particular case. When these codes are present, the *Shepard's* research service displays one of the following signals:

	<b>Warning: Negative treatment is indicated.</b> The red Shepard's Signal indicator indicates that citing references in the Shepard's® Citations Service contain strong negative history or treatment of your case (for example, overruled by or reversed).
	<b>Warning: Negative treatment is indicated for statute.</b> The red exclamation point Shepard's Signal indicator indicates that citing references in the Shepard's Citations Service contain strong negative treatment of the <u>Shepardized</u> ™ section (for example, the section may have been found to be unconstitutional or void).
	<b>Questioned:</b> Validity questioned by citing references. The orange Shepard's Signal indicator indicates that the citing references in the Shepard's Citations Service contain treatment that questions the continuing validity or precedential value of your case because of intervening circumstances, including judicial or legislative overruling.
	<b>Caution:</b> Possible negative treatment indicated. The yellow Shepard's Signal indicator indicates that citing references in the Shepard's Citations Service contain history or treatment that may have a significant negative impact on your case (for example, limited or criticized by).
	<b>Positive:</b> Positive treatment indicated. The green Shepard's Signal indicator indicates that citing references in the Shepard's Citations Service contain history or treatment that has a positive impact on your case (for example, "affirmed" or "followed by").
	<b>Citing references with analysis available:</b> The blue "A" Shepard's Signal indicator indicates that citing references in the Shepard's Citations Service contain treatment of your case that is neither positive nor negative (for example, explained).

For statutes, you may also see a warning that pending legislation may change the statute if passed:



For more details about what the different signals mean, read "[Shepard's® Signal indicators and treatments](https://www.lexisnexis.com/pdf/lexis-advance/Shepards-Signal-Indicators-and-analysis-phrases-Final.pdf) (https://www.lexisnexis.com/pdf/lexis-advance/Shepards-Signal-Indicators-and-analysis-phrases-Final.pdf)," from LexisNexis.

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