

# 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

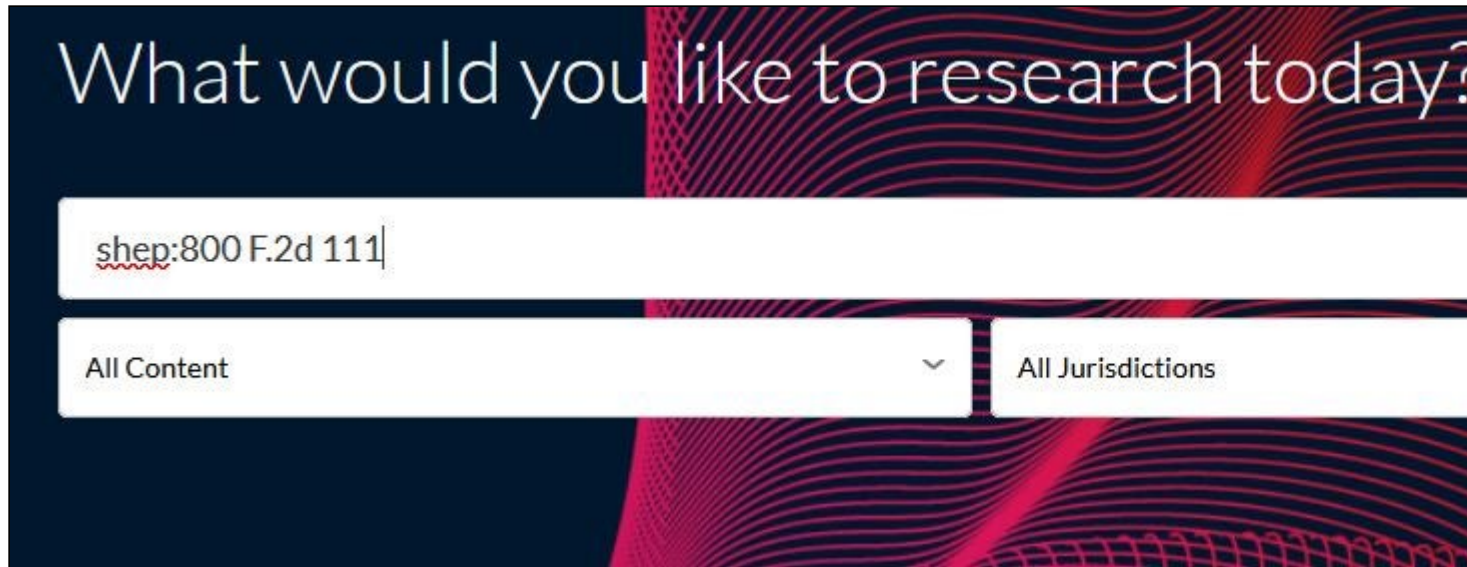
Retrieving a *Shepard's* report for your case can be done in various ways.

### 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 breadcrumb trail indicates it is from the 7th Circuit Court of Appeals, decided on August 27, 1986, with citation 800 F.2d 111. The interface includes a search bar, a navigation menu on the left with options like 'Top of Document', 'Disposition', 'Case Summary', 'Headnotes', 'Counsel', 'Judges', 'Opinion', and 'Footnotes', and a main content area. The main content area displays the case title, a 'Copy Citation' button, the court name 'United States Court of Appeals for the Seventh Circuit', the filing date 'February 13, 1986, Argued ; August 27, 1986, Decided ; August 29, 1986, Filed', and case numbers 'Nos. 85-1332, 85-1398'. The 'Reporter' section shows '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 'Prior History' section notes '[\*\*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.'

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. At the top, the Lexis+ logo and search bar are visible, along with user information (Client: None) and navigation links (History, Help). The main header displays the case name "McNeil v. Economics Laboratory, Inc..." and its citation "7th Cir. Ill. August 27, 1986". Below this, a navigation bar highlights "Citing Decisions 132" with other options like "Document", "Other Citing Sources 62", "History 5", and "Table Of Auth".

The central area features a "Narrow by" sidebar on the left with a search box and a list of analysis categories: Warning (1), Questioned (1), Caution (6), Positive (10), Neutral (5), and "Cited by" (112). Below this are filters for Court, Agency Decisions, Publication S, Discussion, Headnotes, and Timeline.

The main content area displays a "Shepard's® Citing Decisions Analysis" bar chart. A red box with the text "Filters to focus your research" and an arrow points to the "FILTERS" label on the left side of the chart. The chart shows the distribution of analysis categories across various courts, including the 2nd through 11th Circuits, D.C. Circuit, and California and Colorado Courts.

At the bottom, a "Sort by" dropdown menu is open, showing options: Analysis (Red to Blue), Discussion (High to Low), Court (Highest to Lowest) (checked), and Date (Newest to Oldest). A red box with the text "Sort options" and an arrow points to this menu. A second red box highlights the "Sort by" section of the dropdown menu, which also includes "Analysis (Red to Blue)", "Discussion (High to Low)", "Court (Highest to Lowest)", and "Date (Newest to Oldest)".

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## 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**

<b>Analysis</b> <span style="float: right;">^</span>	
+ <span style="color: red;">■</span> Warning	1
+ <span style="color: orange;">■</span> Questioned	1
+ <span style="color: yellow;">■</span> Caution	6
+ <span style="color: green;">■</span> Positive	10
+ <span style="color: blue;">■</span> Neutral	5
<span style="color: blue;">■</span> "Cited by"	112
<a href="#">Select Multiple</a>	
<b>Court</b>	v
<b>Agency Decisions</b>	v
<b>Publication Status</b>	v
<b>Discussion</b>	v
<b>Headnotes</b>	v
<b>Timeline</b>	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

**Narrow by**

Enter search terms

**Analysis** ^

- ■ Warning 1
- Overruled in part by 1

Select Multiple

**Court** ▾

**Publication Status** ▾

**Discussion** ▾

**Timeline** ▾

**Narrow by:** Warning Overruled in part by

No negative subsequent appellate his

7th Circuit - Court of Appeals

1  **Coston v. Plitt Theatres** 80

Show more

7th Cir. Ill. | October 24, 1980

idied

Court in Thurston, 469 U.S. at 111, 105 S. Ct.

Second Circuit's determination that a violati

**Click the any filter clear**

**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

**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

736 F. Supp. 1267 p.1270

... , or at least to the phase out or "managing out" of those directly responsible for plaintiff's termination. The court's concern positions in plaintiff's job category is not dispositive given that King was an over-

**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

**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
<b>HN6</b>	<b>6</b>

**Buscemi v. Pepsico, Inc.**  736 F. S  
outhern Dist. N.Y. | April 16, 199

67 p.1270

the phase out or "managing out" p  
at the statements were purportedly  
responsible for plaintiff's terminati  
ns in plaintiff's job category is not  
ive given that King was an executiv  
concerned personnel policy. No cl  
**McNeil v. Economics Laboratory, Inc., 8**

**Nobler v. Beth Israel Medical Ce**  
F. Supp. 570 | [Show more](#)  
Southern Dist. N.Y. | June 13, 198

**HN6**  
Age Discrimination, ADEA Enforcement

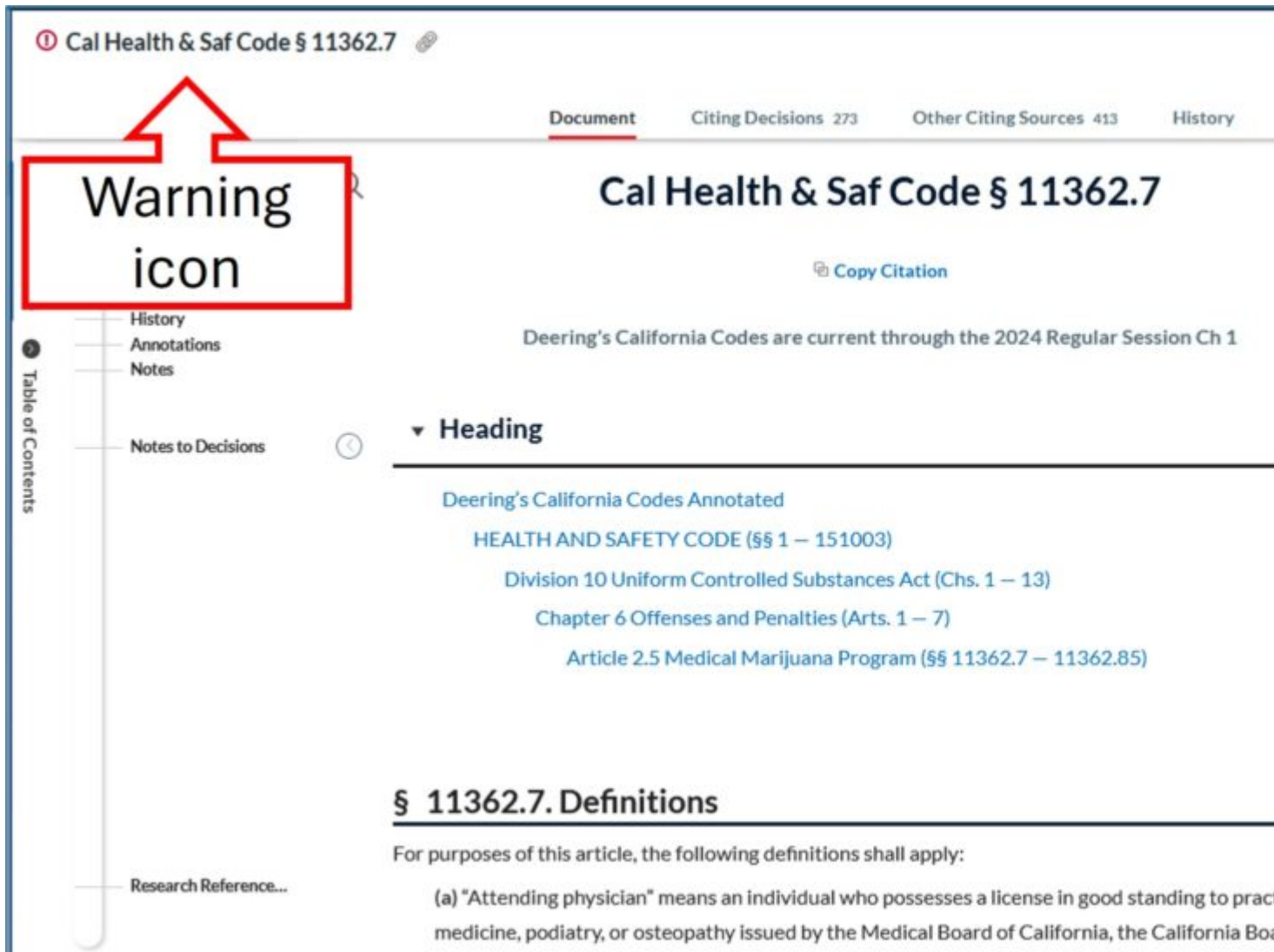
With *Lexis* headnotes you can identify when a citing case discusses an issue similar to one or more of the *Lexis* headnotes of the case you *Shepardized*.

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

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 Podiatry, or the California Board of Osteopathy.

History

Annotations

Notes

Notes to Decisions

Table of Contents

Research Reference...

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## **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

**Narrow by**

Enter search terms

Analysis   Court   Agency Decisions   Publication Status   Timeline

**Shepard's® Citing Decisions Analysis**

See court treatment of subsections

**Subsection Reports**

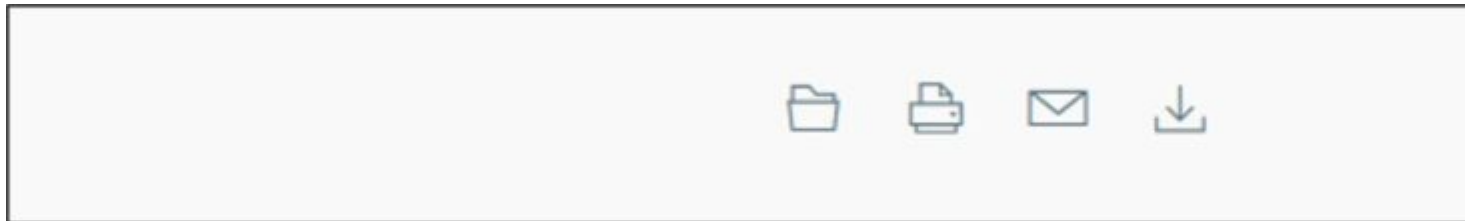
Citing Decisions ( 13 ) | Other Citing Sources ( 1 )

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.

### Print

#### Document Structure

Shepard's Report

Include Categories

- History
- Citing Decisions (530846)
  - "Narrowed By" view (249)
- Other Citing Sources (83211)

**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.