

# The Canadian Abridgment BULLETIN

May 2008 — Issue 46



Highlighting new developments and providing research tips for users of the Canadian Abridgment

## FROM THE PUBLISHER

*In this issue of the Bulletin, we introduce you to two new Abridgment components being added to WestlaweCARSWELL. KeyCite for Regulations will be added to the existing statute and rules citators, making it possible for the first time to note up all types of legislation online. We also preview Words and Phrases Judicially Considered, which is scheduled for release in October 2008.*

*We also tell you about the reconsolidation of the Consolidated Table of Cases, which is being newly updated to complement the new Third Edition Case Law Digest volumes.*

*I welcome any comments or suggestions that you may have concerning The Canadian Abridgment.*

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Director, Legal Strategic Market Group

## Note Up Regulations with KeyCiteCanada

We are pleased to announce that, beginning this May, you will be able to use KeyCiteCanada to find judicial treatments of regulations. This capability will be included as part of all WestlaweCARSWELL subscriptions.

From the time WestlaweCARSWELL was launched in 2002, users have been able to use its citator service, KeyCiteCanada, to find Canadian judicial treatments of statutes and rules, reflecting the content of our print legislative citators, **Canadian Statute Citations** and **Rules Judicially Considered**. In 2005 we added a new print service – **Regulations Judicially Considered** – completing our suite of legislative citators. This work now forms the basis of our extension of KeyCite, which provides not only the

most comprehensive Canadian citator available online, but the only citator that allows you to note up all primary law: cases, tribunal decisions, statutes, rules and regulations.

## Coverage

### What Regulations can you KeyCite?

You will be able to KeyCite any regulation that has been cited in a Canadian case decided since 1997. Any regulatory provision cited in these cases is included, whether it is currently in force or historic, whether it is Canadian or foreign, whether or not we have that particular regulation in full text on our service.

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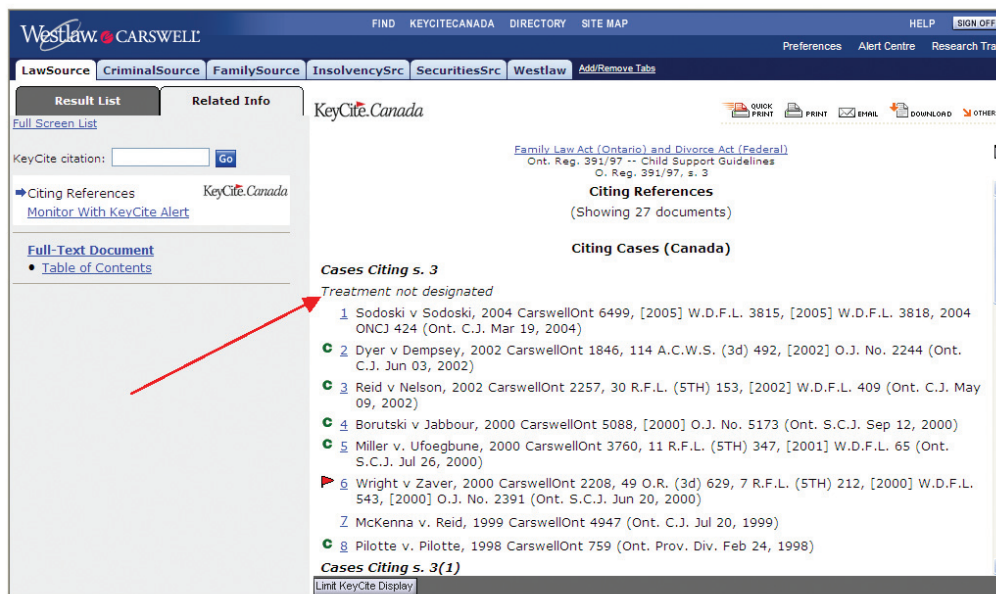
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## What Citing References will you see?

### 1 Citing references derived from judicial or tribunal decisions on our service since 1997.

These citing references include all judicial treatments found in the print service **Regulations Judicially Considered**.

**Note:** As is the case with our print **Regulations Judicially Considered** service, all judicial treatments of regulations in cases received after October 2005 have been analyzed by our editorial staff and have been assigned our customary legislative treatment indicators – **Considered, Referred to, Pursuant to and Unconstitutional**. However, judicial treatments of regulations in cases received prior to October 2005 have been identified by our editorial staff but not analyzed. For these judicial treatments, you will see a new indicator – **Treatment not designated**.



### 2 References drawn from select secondary sources

Some treatises and annotated services on WestlawCARSWELL contain hypertext links to important regulations. An example is the Federal Child Support Guidelines. When you KeyCite a section of the Child Support Guidelines, you will see not only case law that has referenced that section, but also references in *MacDonald & Wilton, Child Support Guidelines Law and Practice* and other family law commentary.



## How to KeyCite a Regulation

You can KeyCite a regulatory section either by name or by citation, using the usual KeyCite legislation templates found on the home page of most WestlawCARSWELL services or accessible via the KeyCiteCanada home page link on the toolbar at the top of any WestlawCARSWELL page.

### To KeyCite a regulation by title:

The screenshot shows the WestlawCARSWELL interface. In the left sidebar, the 'KeyCite' radio button is selected. The main area is titled 'Find/KeyCite a Document'. Under the 'Legislation' section, the following information is entered: Title: 'child support guidelines', Section: '3', and Jurisdiction: 'Federal'. The 'Go' button is visible next to the Jurisdiction dropdown.

1. In the Find/KeyCite a Document section at the bottom of the home page, select the **KeyCite** button.
2. Enter all or part of the regulation title in the **Title** box, e.g. Title: "child support guidelines". [Tip: You may enter any distinctive words that appear in either or both the title of the regulation or its enabling act].
3. Enter the section number in the **Section** box, e.g. 2.
4. Choose the appropriate jurisdiction from the drop-down list in the **Jurisdiction** box, e.g. Federal (optional).
5. Click **GO**.

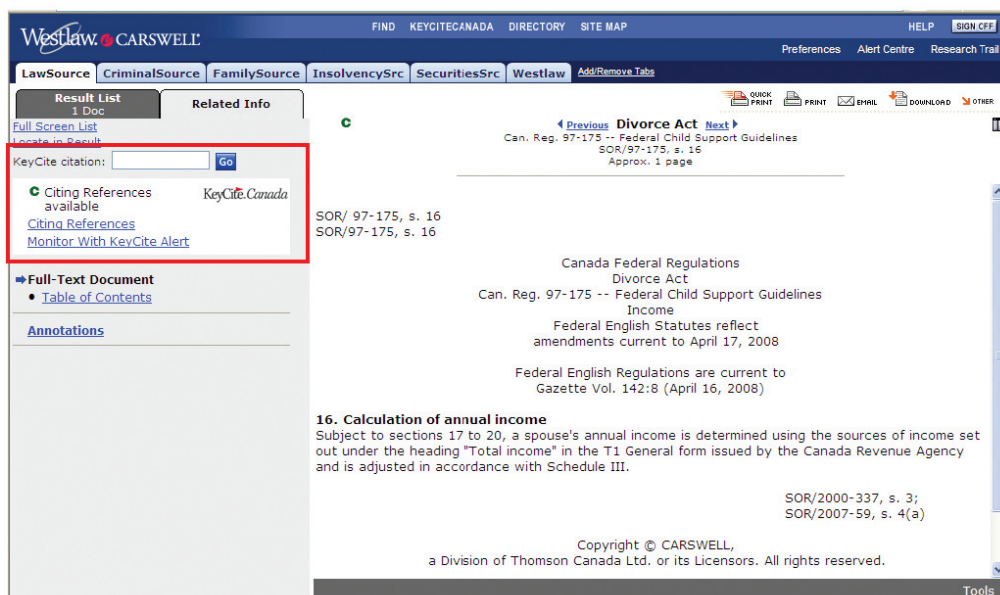
### To KeyCite a regulation by citation:

1. In the Find/KeyCite a Document section at the bottom of the home page, select the **KeyCite** button.
2. Enter the citation in the **Citation** box, e.g. "SOR/97-175, s. 16".
3. Click **GO**.

The screenshot shows the WestlawCARSWELL interface. In the left sidebar, the 'KeyCite' radio button is selected. The main area is titled 'Find/KeyCite a Document'. Under the 'Legislation' section, the 'Citation' box contains the text 'SOR/97-175, s. 16'. The 'Go' button is visible next to the Citation input field.

## To KeyCite a Regulation from the full text of a regulation section:

A KeyCite Citing References link is being added to the Related Info tab in the left frame of all regulation documents on WestlaweCARSWELL. Clicking on this link will show you KeyCite results for that section.



## Words & Phrases: Coming Soon to WestlaweCARSWELL

The ability to find judicial interpretations of Words & Phrases will be added to WestlaweCARSWELL this Fall.

*Words & Phrases Judicially Defined in Canadian Courts and Tribunals*, a multi-volume collection published in print since 1993, is the last major component of the Abridgment to be integrated into the WestlaweCARSWELL. It provides interpretations of both statutory and common law terms from the 1800's to the present. When we launch Words & Phrases in the Fall, the service will include approximately 60,000 interpretations, making it by far the largest service of its kind available in Canada in any medium. Words & Phrases will be included as part of the **LawSource** subscription. Users who don't subscribe to **LawSource** will be able to access Words & Phrases on a pay-per-view basis.

### Some key features:

- A new search template dedicated to finding Words & Phrases entries will be created and will be accessible via a link from the **LawSource** home page.
- All cross references that appear in our print service will be included online and hypertext linked.
- All interpretations of a word or phrase will appear in a single document, making it easy to browse through several interpretations at one time.
- Words & Phrases entries will be integrated into *KeyCiteCanada*.

See the next issue of the Abridgment Bulletin for more information on this major enhancement.

## Reconsolidating the Consolidated Table of Cases

A complete reconsolidation of the Consolidated Table of Cases (C.T.C.) is now underway and scheduled for completion in July 2008.

The Consolidated Table of Cases provides a complete, alphabetical listing of all cases appearing in the Case Law Digest component of The Canadian Abridgment. Each entry includes the full history of the case, as well as all available reported citations for each level of the case. As the Abridgment digests every case ever reported in Canada (and, since 1986, every unreported case as well), the C.T.C. acts as a comprehensive tool to find where a Canadian case has been reported. The C.T.C. also provides locators to tell you where to find the cases listed within the Case Law Digest volumes of the Abridgment. By showing you where a case is found within the Abridgment's organization, the C.T.C. can be a useful tool for finding other cases on the issue you are researching. When completed, the reconsolidation will include 15 hardcover volumes which will reflect cases digested in the main volumes of the Third Edition. In addition, 15 softcover volumes will be produced and will include cases digested in the supplement volumes of the Third Edition.

### Why is the Reconsolidation necessary?

Typically the C.T.C. has been reconsolidated every three years, in order to enable us to keep the size of the supplements manageable and to ensure that the locators in the main work telling you where to find cases in the Case Law Digest component are still valid as Abridgment subject titles are reissued. The new reconsolidation, however, has been delayed until the Third edition was completed (in December 2007) because of the accelerated pace of replacement of titles during the transition from the Second to the Third Edition.

By now, most of the locators in the current hardcover volumes of the C.T.C. reflect the Second Edition of the Abridgment. The new C.T.C. reconsolidation will reflect the new organization of the Third Edition. All locators from cases in the C.T.C. to the case law digest component will be brought up to date.

### What went into preparing the Reconsolidation?

Preparation for the reconsolidation has involved an extensive editorial review of both the main volumes and the supplements contained in the previous edition. In the course of this work a number of enhancements have been made in the reconsolidation.

The enhancements include the following:

- The merging of lower level and upper level judgments: when a trial level judgment has been superseded at the appellate level, making the appellate history of the case clearer
- Correction of omissions and errors and the adding of new information (such as law report citations that have been received since the last reconsolidation) have been incorporated into the reconsolidation
- Names of the judges who decided the cases listed, have been added to all entries
- New locators have been put on the cases to guide you to the locations of digests in the Third Edition

We trust you will find that the new reconsolidation of the Consolidated Table of Cases will make your case law research more efficient and will make it easier to use the Consolidated Table of Cases in conjunction with the Third Edition of the Case Law Digest component of the Abridgment.



## The Canadian Abridgment Helpline

Since 1992 Carswell has provided a toll-free Helpline to connect you with our Abridgment experts. Our bilingual Helpline representatives can assist you in:

- Using both print and electronic Abridgment editions effectively
- Integrating the various Abridgment components
- Maximizing your research strategies
- Learning more about our upcoming publications

We are proud of our Abridgment Helpline representatives, who are experienced legal researchers. They are part of Carswell's Customer Relations team, participating in our training and support initiatives, and they will be pleased to assist you with all of your Abridgment needs.

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