



*Total Research System*

**Lexis.com 資料庫**  
**使用手冊**

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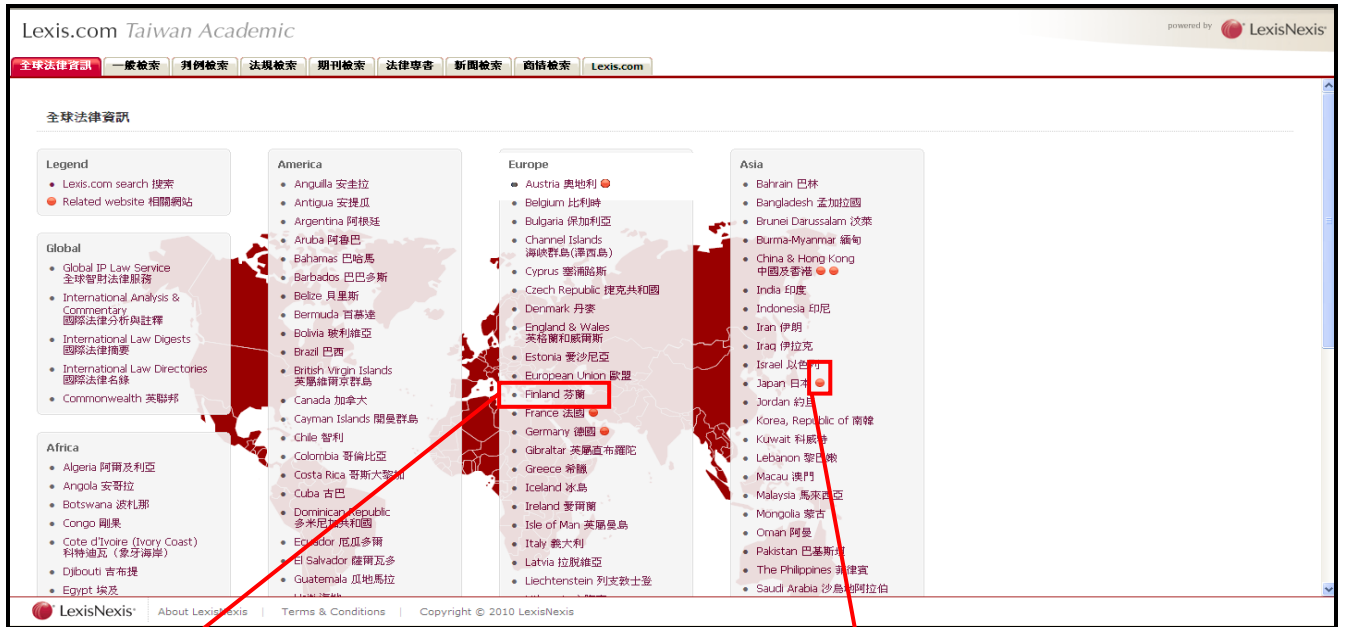
# I. 介面介紹

## 1.1 中文介面

### 1.1.1 全球法律資訊

以全球五大洲區分，使用者可依照國家地區選擇在 Lexis.com 資料庫中特定國家地區的法律資訊。

● 橘紅色的圓點代表該地區的專屬資料庫(LexisNexis JP, LexisNexis JurisClasseur, LexisNexis Recht, LexisHK, LexisCN...等)，點選後會跳出一新視窗提供檢索；若是選擇無橘紅色圓點則是跳出一分頁提供檢索。



### 1.1.2 一般檢索

在一般檢索中使用者可選擇一般常用資料來源如新聞、產業期報、國家情報、企業情報、人物情報、美國案例。如欲了解各項資料來源收錄內容可點選<sup>1</sup>取得，若選取多項資料來源，則檢索結果將會提供各項資料來源的結果數據提供選取。

**範例:** 想要查找與離婚有關的新聞或是案例等等，可輸入關鍵字後勾選資料來源與選取日期範圍來查找。

Lexis.com Taiwan Academic

全球法律資訊 一般檢索 \*一般檢索 判例檢索 法規檢索 期刊檢索 法律專書 新聞檢索 商情檢索 Lexis.com

一般檢索

檢索: Divorce

輸入關鍵字

選擇資料來源

新聞  產業情報  國家情報  
 企業情報  人物情報  美國案例

日期限制: 最近 1 週

查詢 清除

選擇更新時間

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全球法律資訊 一般檢索 \*一般檢索 判例檢索 法規檢索 期刊檢索 法律專書 新聞檢索 商情檢索 Lexis.com

FOCUS™ Terms (Divorce)AND DATE(>=%) Search Within Original Results (1 - 1776) Go Advanced...

All Results - (1776) Cases - (81) News - (1644) Company & Financial - (2) Professional & Practice Materials - (7) Unclassified - (42)

View: Summary 1776 Results

Source: \$ Combined Source Set 194  
 Terms: (Divorce)AND DATE(>=%CURRDATE-7%) (Edit Search | Suggest Terms for My Search | Feedback on Your Search)

All Results - 1776

Category	Sources
Cases - 81	Federal & State Court Cases - After 1944, Combined - 81
News - 1644	News, Most Recent Two Years (English, Full Text) - 1644
Company & Financial - 2	Industry Reports, Combined - 2
Professional & Practice Materials - 7	Biographical References and Directories - 7
Unclassified - 42	Major Companies Group File - 42

Note: Sources may appear in more than one category. All Results counts the number of documents from each source only one time even though the source and its results may appear under multiple categories.

Print Summary Table

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在上圖的檢索結果中可以看見資料庫自動針對不同類型的資料作分類，使用者可依照自己的需求點選查使用者可依照自己的需求點選查看。

### 1.1.3 檢索結果說明

在 Lexis.com Taiwan Academic 介面中，可方便使用者在搜尋相同檢索條件時，快速比較在判例、新聞、法規、期刊等不同項目的檢索結果。

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全球法律資訊 一般檢索 一般檢索 判例檢索 法規檢索 期刊檢索 法律專書 新聞檢索 商情檢索 Lexis.com

FOCUS™ Terms (Divorce)AND DATE(>=% Search Within Original Results (1 - 1776) Go Advanced...

All Results - (1776) Cases - (81) News - (1644) Company & Financial - (2) Professional & Practice Materials - (7) Unclassified - (42)

View: Summary 1776 Results

Source: \$ Combined Source Set 194 Terms: (Divorce)AND DATE(>=%CURRDATE-7%) (Edit Search | Suggest Terms for My Search | Feedback on Your Search)

All Results - 1776 Print Summary Table

Category	Sources
Cases - 81	Federal & State Court Cases - After 1944, Combined - 81
News - 1644	News, Most Recent Two Years (English, Full Text) - 1644
Company & Financial - 2	Industry Reports, Combined - 2
Professional & Practice Materials - 7	Biographical References and Directories - 7
Unclassified - 42	Major Companies Group File - 42

Note: Sources may appear in more than one category. All Results counts the number of documents from each source only one time even though the source and its results may appear under multiple categories.

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全球法律資訊 一般檢索 一般檢索 判例檢索 法規檢索 期刊檢索 法律專書 新聞檢索 商情檢索 Lexis.com

FOCUS™ Terms (Divorce)AND DATE(>=%CURRDATE-7%) Search Within Original Results (1 - 1776) Go Advanced...

All Results - (1776) Cases - (81) News - (1644) Company & Financial - (2) Professional & Practice Materials - (7) Unclassified - (42)

View: Cite | KWIC | Full | Custom 1 - 10 of 81 Show Hits

Source: \$ Combined Source Set 194 - Federal & State Court Cases - After 1944, Combined Terms: (Divorce)AND DATE(>=%CURRDATE-7%) (Edit Search | Suggest Terms for My Search | Feedback on Your Search)

Select for FOCUS™ or Delivery

1. [Murphy v. City of Aventura](#), o. 09-13419 Non-Argument Calendar, NITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT,? 010 U.S. App. LEXIS 12584, une 18, 2010, Decided, une 18, 2010, Filed,PLEASE REFER TO FEDERAL RULES OF APPELLATE PROCEDURE RULE 32.1 GOVERNING THE CITATION TO UNPUBLISHED OPINIONS.  
**CORE TERMS:** stupid, dumb, fuck, state law, sexual harassment, retaliation, shit, summary judgment, slut, goddamn ...
2. [Estate of Charania v. Shulman](#), o. 09-2430, NITED STATES COURT OF APPEALS FOR THE FIRST CIRCUIT,?010 U.S. App. LEXIS 12415, une 17, 2010, Decided  
**CORE TERMS:** decedent, marital property, late-filing, spouses, immutability, stock, mutability, estate tax return, includable, notice of deficiency ...
3. [United States v. Peterson](#), o. 09-4166, NITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT,?010 U.S. App. LEXIS 12434, arch 24, 2010, Argued, une 17, 2010, Decided  
**CORE TERMS:** unlawful activity, structuring, deposit, enhancement, sentencing, safe harbor, structurer, structured, monetary, currency ...
4. [United States v. Novak](#), o. 08-5254, NITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT,?010 U.S. App. LEXIS 12185, ay

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#### ◆ 檢索結果瀏覽方式

- **Cite**：顯示您搜索結果的文獻列表
- **KWIC™**：預設允許頁面顯示關鍵字兩側的 25 個單字。亦可按需要在 1~999 個單字之間調整
- **Full**：檢視全文
- **Custom**：自訂欲呈現的區段

- ◆ 精確檢索 FOCUS™(限縮您的檢索結果) 在您的檢索結果中附加搜尋的條件以限縮搜尋結果。在頁面上方的 Focus 選項中輸入檢索詞再點選 FOCUS 即可

### 1.1.4 判例檢索

可檢索美國判例(美國聯邦與各州判例合輯、美國聯邦判例合輯、美國各州判例合輯、美國最高法院判例)，其他國家判例檢索(加拿大判例、歐盟 EUR-Lex 判例、英國判例合輯....等)

**範例：**想要查詢有關有水門案在美國最高法院判例相關的資訊時，可先在資料來源透過下拉式選單選取，然後在關鍵字搜索中輸入關鍵字 **Watergate** 查詢即可。

下拉式選單可依照美國判例檢索或是其他國家判例檢索進行查詢，使用者亦可以以引證號進行精確的判例查詢。

The screenshot shows the Lexis.com Taiwan Academic search interface. The '判例檢索' (Case Search) tab is active. A dropdown menu is open, showing options for '美國判例檢索' (U.S. Case Search) and '其他國家判例檢索' (Other Countries Case Search). Under '美國判例檢索', there are sub-options: '美國聯邦與各州判例合輯', '美國聯邦判例合輯', '美國各州判例合輯', and '美國最高法院判例 (律師版)'. The '美國最高法院判例 (律師版)' option is highlighted. The main search area shows '資料來源:' (Source) set to '美國最高法院判例 (律師版)'. The '關鍵字搜索' (Keyword Search) section has 'Watergate' entered in the '摘要檢索(關鍵字):' (Abstract Search) field. The '日期限制:' (Date Limit) is set to '所有日期' (All Dates). Buttons for '查詢' (Search) and '清除' (Clear) are visible at the bottom.

The screenshot shows the search results for 'Watergate' on Lexis.com. The search term is 'HEADNOTES(Watergate)'. The results are displayed in a list format. The first result is 'Harper & Row, Publr's. v. Nation Enters.', No. 83-1632, SUPREME COURT OF THE UNITED STATES, 471 U.S. 539; 105 S. Ct. 2218; 85 L. Ed. 2d 588; 1985 U.S. LEXIS 17; 53 U.S.L.W. 4562; 225 U.S.P.Q. (BNA) 1073; 11 Media L. Rep. 1969, November 6, 1984, Argued, May 20, 1985, Decided. The overview states: 'The doctrine of fair use did not sanction the unauthorized use of quotations from a public figure's unpublished manuscript. The unpublished nature of the book in question was a key factor tending to negate the defense of fair use.' The core terms are: 'fair use, copyrighted, pardon, infringement, quotation, literary, reporting, prepublication, verbatim, excerpt ...'. The second result is 'Nixon v. Warner Communications', No. 76-944, SUPREME COURT OF THE UNITED STATES, 435 U.S. 589; 98 S. Ct. 1306; 55 L. Ed. 2d 570; 1978 U.S. LEXIS 80; 3 Media L. Rep. 2074, November 8, 1977, Argued, April 18, 1978, Decided. The overview states: 'Reporters could not have access to tape recordings made by former President of the United States that were turned over to the courts because there was an alternative means of public access and release was not required by the constitution.' The core terms are: 'tape, conversation, presidential, recording, public access, common-law, judicial records, tape recordings, right of access, recorded ...'. The third result is 'Nixon v. Adm'r of General Servs.', No. 75-1605, SUPREME COURT OF THE UNITED STATES, 433 U.S. 425; 97 S. Ct. 2777; 53 L. Ed. 2d 867; 1977 U.S. LEXIS 24; 2 Media L. Rep. 2025, Argued April 20, 1977, June 28, 1977. The interface includes navigation options like 'View: Cite | KWIC | Full | Custom', 'Save As Alert | Show Hits', and 'Page Select a Reporter'. The footer shows 'LexisNexis' and 'Copyright © 2010 LexisNexis'.



### 1.1.5 法規檢索

可檢索美國聯邦法規：美國制定法法典(USCS)/聯邦公報(FR)/聯邦規則彙編(CFR)/公法(PL)，美國各州法規：加州法規/紐約州法規/德拉威法規/50 州及關島、DC、波多黎各與維京群島法規，其他國家法規：歐盟 EUR-Lex 法規/英格蘭與威爾斯制定法/加拿大制定法，國際條約：關貿總協定基本法律文件選輯/美國現行條約合輯/國際法律資料(ILM)

範例：想要查詢紐約關於離婚的法規時，可先透過下拉式選單選取紐約州法規，再輸入關鍵字檢索。  
下拉式選單提供依照美國聯邦法規、美國各州法規及其他國家法規的分類方式選取進行查詢。



### 1.1.6 期刊檢索

可檢索美國法學評論與期刊(美國法學評論和期刊合輯、加拿大法學評論合輯、美國律師協會期刊合輯、哥倫比亞法學評論....等)，美國法與評論與期刊-依法學領域分類(銀行法法學評論合輯、破產法法學評論合輯....等)，其他法學評論與期刊(英國法學期刊、加拿大法學期刊合輯...等)。

期刊簡易檢索：在期刊檢索中可透過選擇各別期刊，檢索單一期刊內的文章資料

<input type="checkbox"/> Washburn Law Journal	<input type="checkbox"/> Yale Human Rights & Development Law Journal
<input type="checkbox"/> Washington & Lee Law Review	<input type="checkbox"/> Yale Journal of Health Policy, Law, and Ethics
<input type="checkbox"/> Washington Law Review	<input type="checkbox"/> Yale Journal of International Law
<input type="checkbox"/> Washington and Lee Journal of Civil Rights and Social Justice	<input type="checkbox"/> Yale Journal of Law and Feminism
<input type="checkbox"/> Washington University Global Studies Law Review	<input type="checkbox"/> Yale Journal of Law and the Humanities
<input type="checkbox"/> Washington University Journal of Law & Policy	<input type="checkbox"/> Yale Journal of Law & Technology
<input type="checkbox"/> Washington University Journal of Urban and Contemporary Law	<input type="checkbox"/> Yale Journal on Regulation
<input type="checkbox"/> Washington University Law Review	<input type="checkbox"/> Yale Journal on Regulation (ProQuest)
<input type="checkbox"/> The Wayne Law Review	<input type="checkbox"/> Yale Law & Policy Review
<input type="checkbox"/> Washington Law Review (ProQuest)	<input type="checkbox"/> The Yale Law Journal

範例：使用者想要查詢有關哈佛法學評論中提及 **Abortion & Birth Control** 的內容時，使用者可以先透過下拉式選單選取哈佛法學評論，在內容搜索輸入關鍵字 **Abortion & Birth Control** 查詢即可。

使用者在選取資料來源時，除了針對特定期刊選取外，亦可依法學領域的分類查詢檢索。

全球法律資訊 | 一般檢索 | 判例檢索 | 法規檢索 | **期刊檢索** | \* 期刊檢索 | 法律專書

期刊簡易檢索 (選擇各別期刊)

資料來源: 哈佛法學評論

出版信息

刊名檢索: AND

作者名檢索: AND

標題檢索: AND

內容搜索

全文檢索(關鍵字): AND Abortion & Birth Control

摘要檢索: AND

引證檢索: AND

日期限制: 所有日期

查詢 清除

哈佛法學評論

美國法學評論與期刊

美國法學評論和期刊合輯

加拿大法學評論合輯

美國律師協會期刊合輯

哥倫比亞法學評論

哈佛法學評論

史丹佛大學法學評論

耶魯法學評論

哈佛國際法評論

耶魯國際法評論

法律彙編 (Restatement)

美國法學評論與期刊 - 依法學領域分類

銀行法學評論合輯

破產法學評論合輯

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全球法律資訊 | 一般檢索 | 判例檢索 | 法規檢索 | **期刊檢索** | \* 期刊檢索 | 法律專書 | 新聞檢索 | 商情檢索 | Lexis.com

FOCUS™ Terms: Abortion & Birth Control Search Within Original Results (1 - 37) Go Advanced...

View: Cite | KWIC | Full | Custom 1 - 10 of 37 Save As Alert Show Hits

Source: Legal > /... /> \$ Harvard Law Review

Terms: (Abortion & Birth Control) (Edit Search | Suggest Terms for My Search)

Select for FOCUS™ or Delivery

1. Copyright (c) 2009 Harvard Law Review Association Harvard Law Review, ebruary, 2009,723 Harv. L. Rev. 596,7607 words, ecent Case: Constitutional Law - Free Exercise Clause - Ninth Circuit Rejects Strict Scrutiny for Pharmacy Dispensing Requirement. - Stormans, Inc. v. Selecky, 571 F.3d 960 (9th Cir. 2009).
2. Copyright (c) 2008 Harvard Law Review Association Harvard Law Review, ovember, 2008,722 Harv. L. Rev. 191,74271 words, OMMENT: DEAD OR ALIVE: ORIGINALISM AS POPULAR CONSTITUTIONALISM IN HELLER, eva B. Siegel\*
3. Copyright (c) 2008 Harvard Law Review Association Harvard Law Review, ovember, 2008,722 Harv. L. Rev. 246,75480 words, OMMENT: SECOND AMENDMENT MINIMALISM: HELLER AS GRISWOLD, ass R. Sunstein\*
4. Copyright (c) 2008 Harvard Law Review Association Harvard Law Review, arch, 2008,721 Harv. L. Rev. 1447,7441 words, ECENT CASE; Employment Law - Title VII - Eighth Circuit Holds that Benefits Plans Excluding All Contraceptives Do Not Discriminate Based on Sex. - In re Union Pacific Railroad Employment Practices Litigation, 479 F.3d 936 (8th Cir. 2007), reh'g and reh'g en banc denied, No. 06-1706 (8th Cir. May 23, 2007).
5. Copyright (c) 2007 The Harvard Law Review Association Harvard Law Review, ay, 2007,720 Harv. L. Rev. 1813,74344 words,7006 OLIVER WENDELL HOLMES LECTURE: ESSAY: MEDICAL SELF-DEFENSE, PROHIBITED EXPERIMENTAL THERAPIES, AND PAYMENT FOR ORGANS, ugene Volokh\*
6. Copyright (c) 2005 The Harvard Law Review Association Harvard Law Review, ovember, 2005,719 Harv. L. Rev. 31,73910 words, HE SUPREME COURT, 2004 TERM: FOREWORD: A POLITICAL COURT, ichard A. Posner\*
7. Copyright (c) 2006 The Harvard Law Review Association Harvard Law Review, arch, 2006,719 Harv. L. Rev. 1638,7412 words, ECENT PUBLICATIONS
8. Copyright (c) 2004 The Harvard Law Review Association Harvard Law Review, ebruary, 2004,718 Harv. L. Rev. 778,7218 words, ECENT CASE: Constitutional Law - Right to Informational Privacy - District Court Grants Preliminary Injunction Against Enforcement of State Law Requiring Reporting of All Sexual Activity by Minors.- Aid for Women v. Foulston, 327 F. Supp. 2d 1273 (D. Kan. 2004).
9. Copyright (c) 2004 The Harvard Law Review Association Harvard Law Review, pril 2004 717 Harv. L. Rev. 1893,75996 words, ESSAY: LAWRENCE V. TEXAS: THE "FUNDAMENTAL"

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## 1.1.7 法律專書

提供 Lexis.com 中各主題相關的法律專書

Lexis.com *Taiwan Academic*

全球法律資訊 一般檢索 判例檢索 法規檢索 期刊檢索 **法律專書** 新聞檢索 商情檢索 Lexis.com

**法律專書**

- Accounting 會計
- Administrative Law 行政法
- Admiralty 海軍
- Agricultural Law 農業法
- Antitrust & Trade 反壟斷及貿易
- Banking 銀行
- Bankruptcy 破產
- Business Law 商業法
- Civil Practice and Procedure 民事實踐和程序
- Commercial Law 商法
- Communications 通信
- Constitutional Law 憲法
- Contracts 契約
- Construction 營建
- Copyright Law 著作權法
- Corporate 公司
- Criminal Law 刑法
- Cyberlaw 網絡法
- E-Commerce 電子商務
- Education Law 教育法
- Elder Law 老年人法律
- Energy 能源
- Entertainment 娛樂
- Environment 環境
- Estate Planning 不動產規劃
- Family Law 家事法
- Federal Practice 聯邦業務
- Forms 書式
- General Practice 一般業務
- Health Care 衛生保健
- Human Resources 人力資源
- Immigration 移民
- Insurance 保險
- Intellectual Property 知識產權
- International Law 國際法
- International Trade 國際貿易
- Labor & Employment 勞動與就業
- Litigation 訴訟
- Local Government 地方政府
- Mergers & Acquisitions 併購
- Military Justice 軍法
- Patent Law 專利法
- Pension & Benefits 退休金與福利
- Personal Injury 人身傷害
- Product Liability 產品責任
- Public Contracts 公共契約
- Real Estate 房地產
- Securities 證券
- Tax 稅
- Torts 侵權
- Trademarks, Unfair Competition & Trade Secrets 商標，不正當競爭和商業秘密
- Uniform Commercial Code 統一商法典
- Workers' Comp & Social Security Disability 勞動補償和社會保障殘疾

Lexis.com *Taiwan Academic*

全球法律資訊 一般檢索 判例檢索 法規檢索 期刊檢索 法律專書 **Insurance** 新聞檢索 商情檢索 Lexis.com

Option 1 - Recently Used Sources

\$ NY - New York Consolidated Laws Service [Go](#) [Edit Sources](#)

Option 2 - Look for a Source

[Add/Edit Tabs](#) Use checkboxes to select sources for searching across categories, pages, and tabs. [Show Me...](#) [Combine Sources](#)

**Legal** **News & Business** **Public Records** **Find A Source**

[Legal](#) > [Secondary Legal](#) > [Matthew Bender\(R\)](#) > [By Area of Law](#) > **Insurance**

<input type="checkbox"/> New Appleman on Insurance Law Library Edition <a href="#">i</a> \$	<input type="checkbox"/> Jury Instructions on Products Liability <a href="#">i</a> \$
<input type="checkbox"/> Appleman on Insurance 2d and Appleman on Insurance Law & Practice <a href="#">i</a> \$	<input type="checkbox"/> Killer Roads: From Crash to Verdict <a href="#">i</a> \$
<input type="checkbox"/> Appleman on Insurance Law & Practice - Index <a href="#">i</a> \$	<input type="checkbox"/> Law of Liability Insurance <a href="#">i</a> \$
<input type="checkbox"/> New Appleman on Insurance: Current Critical Issues in Insurance Law <a href="#">i</a> \$	<input type="checkbox"/> Law of Life and Health Insurance <a href="#">i</a> \$
<input type="checkbox"/> Business Insurance Law and Practice Guide <a href="#">i</a> \$	<input type="checkbox"/> Liquor Liability Law <a href="#">i</a> \$
<input type="checkbox"/> Business Law Monographs: Insurance <a href="#">i</a> \$	<input type="checkbox"/> Maryland Motor Vehicle Insurance <a href="#">i</a> \$
<input type="checkbox"/> California Insurance Law & Practice <a href="#">i</a> \$	<input type="checkbox"/> New Appleman Insurance Law Practice Guide <a href="#">i</a> \$
<input type="checkbox"/> California Uninsured Motorist Law <a href="#">i</a> \$	<input type="checkbox"/> New Appleman Premium Online Checklists <a href="#">i</a> \$
<input type="checkbox"/> Construction Insurance: Coverages and Disputes <a href="#">i</a> \$	<input type="checkbox"/> New Appleman Premium Online Forms LexisNexis Forms <a href="#">i</a> \$
<input type="checkbox"/> Fall 2009 Issue: New Appleman on Insurance: Current Critical Issues <a href="#">i</a> \$	<input type="checkbox"/> New Appleman New York Insurance Law <a href="#">i</a> \$

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### 1.1.8 新聞檢索

可選擇新聞合輯(最近 14 天新聞、最近 90 天新聞...等)或個別新聞來源(紐約時報、華盛頓郵報...等)。如要選擇更多的新聞資料來源，可在新聞簡易檢索中，選擇各別新聞來源查詢。

**範例：**使用者想透過紐約時報查詢近一週有關於漏油的新聞消息，使用者可透過下拉式選單選取個別新聞來源中的紐約時報，並在標題檢索輸入"Oil spill"進行查詢。

下拉式選單提供依照新聞合輯或是個別新聞來源的方式選取。

Lexis.com Taiwan Academic

全球法律資訊 一般檢索 判例檢索 法規檢索 期刊檢索 法律專書 新聞檢索 \*新聞檢索

新聞簡易檢索 (選擇各別新聞來源)

資料來源: 紐約時報

簡易檢索

關鍵字檢索: AND

標題檢索: AND "Oil spill"

主題檢索: AND

日期限制: 最近 1 週

查詢 清除

新聞合輯

- 最近 14 天新聞
- 最近 90 天新聞
- 最近 2 年新聞
- 所有新聞
- 主要報紙

個別新聞來源

- 紐約時報
- 華盛頓郵報
- 洛杉磯時報
- 亞洲脈動
- 美聯社
- 商業週刊
- 芝加哥論壇報

Lexis.com Taiwan Academic powered by LexisNexis

全球法律資訊 一般檢索 判例檢索 法規檢索 期刊檢索 法律專書 新聞檢索 \*新聞檢索 商情檢索 Lexis.com

FOCUS™ Terms (HEADLINE("Oil spill"))AND DATE(>=%CURR) Search Within Original Results (1 - 1) Using Semantic Concepts What's this? Go Advanced...

View: Cite | KWIC | Full | Custom 1 - 10 of 10 Save As Alert Show Hits

Source: Legal > /... /> \$ The New York Times

Terms: (HEADLINE("Oil spill"))AND DATE(>=%CURRDATE-7%) (Edit Search | Suggest Terms for My Search)

Select for FOCUS™ or Delivery

1. [Offshore Tournaments Canceled by Oil Spill](#), The New York Times, June 20, 2010 Sunday, Late Edition - Final, Section SP; Column 0; Sports Desk; Pg. 8, 841 words, By ANDREW W. LEHREN
2. [Day 59: The Latest on the Oil Spill](#), The New York Times, June 19, 2010 Saturday, Late Edition - Final, Section A; Column 0; National Desk; Pg. 10, 408 words
3. [Larry King To Host Oil-Spill Telethon](#), The New York Times, June 19, 2010 Saturday, Late Edition - Final, Section C; Column 0; The Arts/Cultural Desk; ARTS, BRIEFLY; Pg. 2, 135 words, By BRIAN STELTER; Compiled by DAVE ITZKOFF
4. [Day 58: The Latest on the Oil Spill](#), The New York Times, June 18, 2010 Friday, Late Edition - Final, Section A; Column 0; National Desk; Pg. 19, 418 words
5. [Assessing Who Should Pay for the Oil Spill Damage](#), The New York Times, June 18, 2010 Friday, Late Edition - Final, Section A; Column 0; Editorial Desk; LETTERS; Pg. 28, 423 words
6. [BP to Set Aside \\$20 Billion To Help Oil Spill Victims](#), The New York Times, June 17, 2010 Thursday, Late Edition - Final, Section A; Column 0; National Desk; Pg. 1, 1466 words, By JACKIE CALMES and HELENE COOPER; Robbie Brown contributed reporting from New Orleans.
7. [Day 57: The Latest on the Oil Spill](#), The New York Times, June 17, 2010 Thursday, Late Edition - Final, Section A; Column 0; National Desk; Pg. 19, 435 words
8. [Day 56: The Latest on the Oil Spill](#), The New York Times, June 16, 2010 Wednesday, Late Edition - Final, Section A; Column 0; National Desk; Pg. 19, 435 words

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### 1.1.9 商情檢索

提供檢索一般企業查詢(國際企業報告、美國公司報告...等)，特定企業查詢(Disclosure Online Database、Directory of Corporate Affiliations...等)，SEC Filings，M&A 情報(Mergerstat M&A Database...等)，產業新聞、報告(Markets and Industry News...等)，業界消息(汽車業、塑化業...等)

**範例：**想要查詢富士康近六個月的國際企業報告時，使用者可透過下拉式選單選取國際企業報告，在簡易檢索欄位輸入企業名稱“foxconn”，並設定日期限制為最近六個月進行檢索。

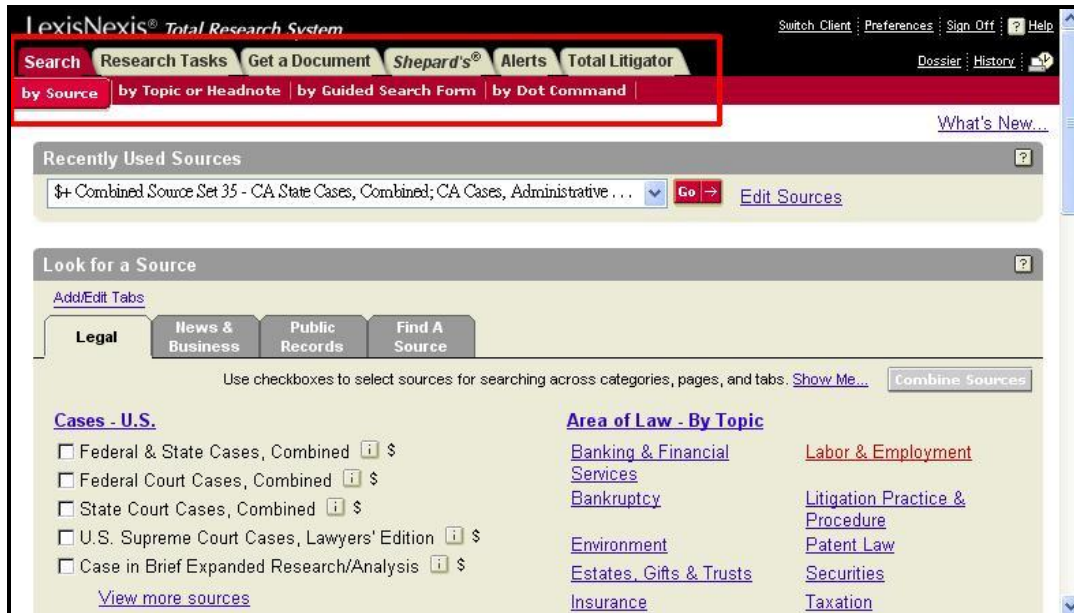
使用者亦可以在下拉式選單選取特定資料來源查詢。

The screenshot shows the Lexis.com Taiwan Academic search interface. The 'Business Search' (商情檢索) section is active. The 'Data Source' (資料來源) dropdown is set to 'International Company Reports' (國際企業報告). The search criteria include 'Company Name' (企業名稱) 'foxconn' and 'Date Limit' (日期限制) 'Last 6 months' (最近 6 個月). A dropdown menu is open, showing options for 'General Business Search' (企業查詢 (一般)) and 'Specific Data Source Business Search' (企業查詢 (特定資料來源)).

The screenshot shows the Lexis.com search results page for 'foxconn'. The search terms are '(COMPANY(foxconn)AND DATE(>=%CURRDATE-182%))'. The results list 10 items, including 'Worldscope', 'Nelson's Public Company Profiles', and 'Hoover's Company Records'. The page shows 1 of 76 results.

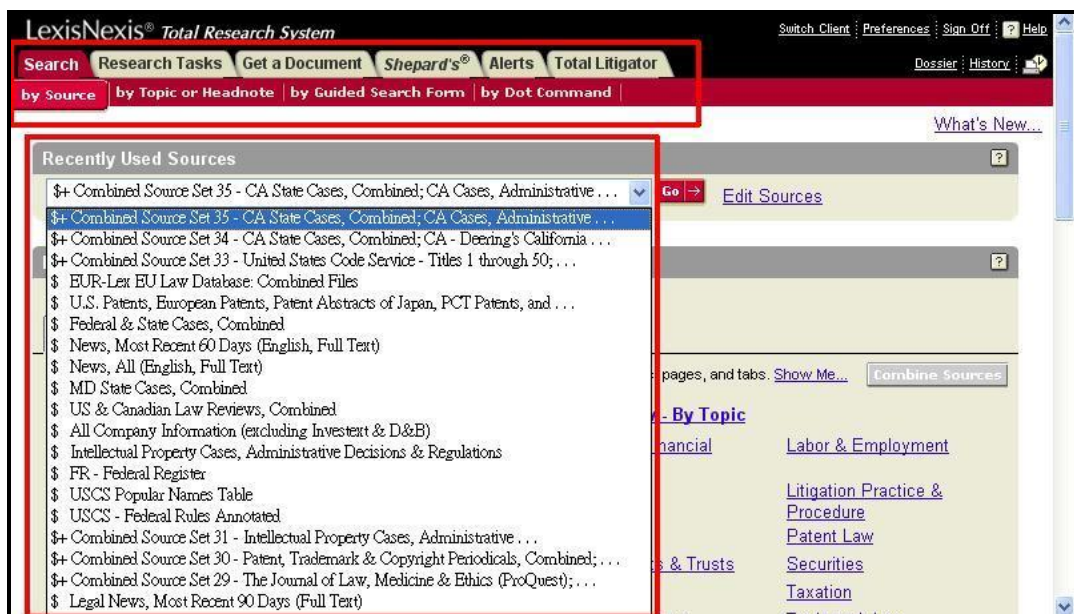
## 1.2 英文介面

**Lexis.com** 按照不同使用者的需求設計了六個選項。其中 **Get a Document** 選項能夠幫助您快速的檢索特定文件檔案。**Search** 選項則需要使用者按照法律檢索的慣例逐步檢索。檢索方式選項可以在系統的幫助下循序漸進的獲得更佳的结果。**Shepard's®** 選項則提供判例、法律、期刊論文的研究分析報告。除此之外，**Research Tasks** 選項還專為某些法律領域設計了綜合檢索介面。**Alert** 選項更是集合多項自動更新提示服務功能。



## 1.3 Recently Used Sources 常用資源快捷選單

Lexis.com 保留了使用者最近檢索過的 20 個資料來源，提供使用者快速取得這些資源。使用者也可以自行設定常用的資源。



## 1.4 Look for a Source 查找資料來源

Lexis 的內容涵蓋了法律、新聞、商業、公共記錄等方面。在 Search 選項下您可得到：

### 原始資源(Primary Law Sources)

- 美國聯邦及各州法院判例
- 美國聯邦法律
- 美國聯邦規章法典
- 美國各州法律
- 美國及英國立法和政策

### 第二資源 ( Secondary Sources )

- 超過 750 種法律評論與期刊 ( Law Reviews and Journals )
- 法律新聞 ( Legal News )
- 法律百科 ( Legal Encyclopedias )，如美國法律大全 ( American jurisprudence 2d )
- 法律釋義 ( Annotations ) 如 American Law Report Annotations
- 法律專著 ( Treatises )
- 法律重述 ( Restatement )
- 文書 ( Forms ) 提供法院或商業交易中標準文本。

The screenshot displays the Lexis search interface with several categories highlighted by red boxes:

- Legal** (top navigation tab)
- Find A Source** (top navigation tab)
- Cases - U.S.** (checkboxes for Federal & State Cases, Federal Court Cases, State Court Cases, U.S. Supreme Court Cases, and Case in Brief Expanded Research/Analysis)
- Federal Legal - U.S.** (checkboxes for United States Code Service, USCS, CFR, FR, and Federal Agency Decisions)
- States Legal - U.S.** (links for California, Florida, New Jersey, and New York)
- Area of Law - By Topic** (grid of links for Banking & Financial Services, Bankruptcy, Environment, Estates, Gifts & Trusts, Insurance, International Law, Labor & Employment, Litigation Practice & Procedure, Patent Law, Securities, Taxation, and Trademark Law)
- Briefs, Motions, Pleadings & Verdicts** (links for Jury Verdicts & Experts)
- Secondary Legal** (grid of links for Expert Commentaries, Matthew Bender(R), CLE Materials, Jurisprudences & Law Reviews & Journals, Restatements of the Law, Tax Analysts, and Forms & Agreements)



## II. 查找資料

### 2.1 Searching 檢索方式

Lexis.com 為用戶提供了多種方式的檢索方法和檢索語言，您可以按照自己的檢索習慣自由選擇。不同的檢索方式所達到的效果也不盡相同。

您可透過以下幾種方式檢索：

- Search 一般檢索
- Combined Search 綜合檢索

你可以自由選擇其中任何一種檢索語言：

- Terms & Connectors
- Natural language
- Easy search

一般檢索是用戶最常使用的檢索方式，透過選擇合適的資源並輸入檢索詞來找到合適的文檔。

LexisNexis® Total Research System

Search Research Tasks Get a Document Shepard's® Alerts Total Litigator Transactional Advisor

by Source by Topic or Headnote by Guided Search Form by Dot Command

§ NOTE: (US & Canadian Law Reviews, Combined) is not included in your flat-rate price plan for this ID. If you conduct a search within this source, you will incur an additional charge.

Legal > Secondary Legal > Law Reviews & Journals > § US & Canadian Law Reviews, Combined ⓘ

Search

Select Search Type and Enter Search Terms

Terms & Connectors

Natural Language

Easy Search™

Suggest terms for my search

Check spelling

Restrict by Document Segment

Select a document segment, enter search terms for the segment, then click Add.

Select a Segment [v] [ ] Add [↑]

Note: Segment availability differs between sources. Segments may not be applied consistently across sources.

Restrict by Date

No Date Restrictions [v]  From [ ] To [ ] Date formats...

選擇索引詞的輸入方式

Segment 限定

限定日期

**Step 1:** 選擇特定的資源：如查找法學期刊通常可以按照〈Legal > secondary legal > law review & journals > US & Canadian Law Review, Combined〉進行檢索。

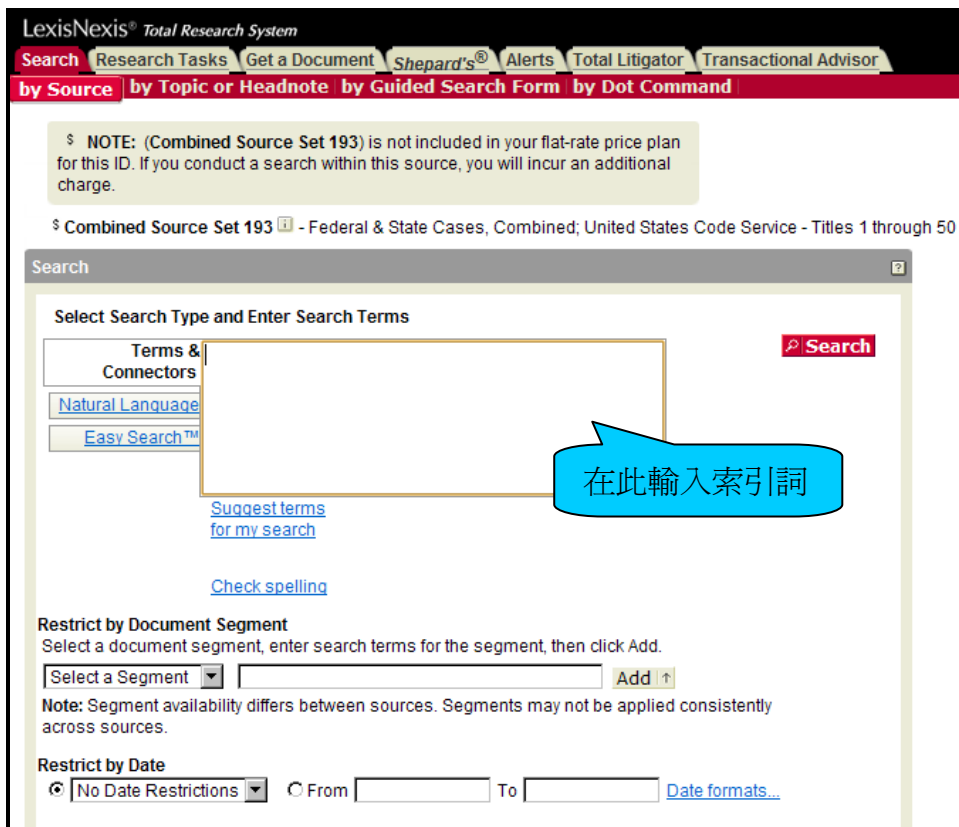
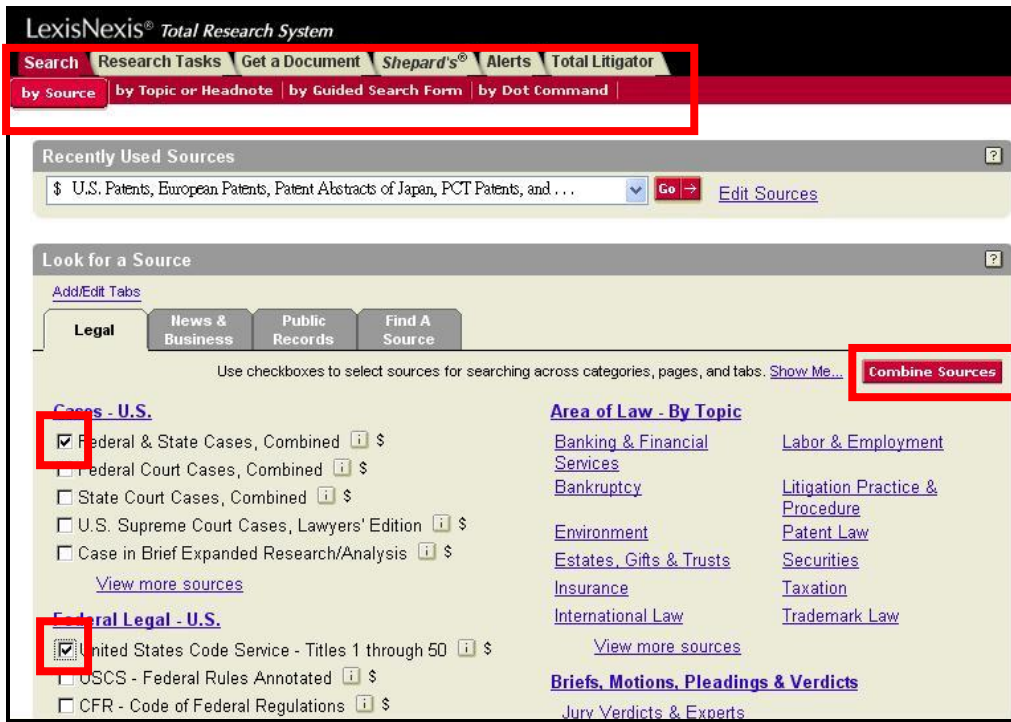
**Step 2:** 選擇檢索語言並輸入檢索詞（您可透過 Check Spelling 檢查拼字是否正確，也可透過 Suggest Terms for My Search 獲得檢索幫助），並選擇特定的 Segment 或日期作為限定。

**Step 3:** 點選 Search。

### 2.1.1 Source (Combining Sources) 一般檢索

您可以在一次搜索中將多個資源組合在一起。例如，您可能想把幾個美國巡迴法庭或幾個州的法庭組合在一起。組合資源：

- 在 Search 下的 Sources 選項中，在資源選擇介面上選擇多個所需資料來源。
- 點選 Combine Sources。
- 在新的檢索頁面中輸入檢索詞。



### 2.1.2 Terms and Connectors 關鍵字與連結詞

Tip: What is a word?

A、單字 Words

單字是檢索的基本單位。一個單字是指兩邊有空格的一個單獨的字元或一組字元。字元可以是字母也可以是數字。例如，McPherson 為一個檢索單字，\$1998 也是一個檢索單字，而\$ 1998

則是兩個檢索單字。

#### B、帶有連字元的單字 hyphenated words

一個連字符號被看作是一個空格，所以一個帶有連字符號的單詞被看作兩個單字。例如，*pretrial* 為一個檢索單字，但 *pre-trial* 和 *pre trial* 則為兩個檢索單字。

#### C、複數和所有格 plurals and possessive

只要名詞的複數形式為規則變化，使用名詞的任何一種形式——單數、複數或所有格——您都將自動獲得該名詞的其他形式。例如，輸入 *Writ* 將得到 *writ, writs, writ's* 或 *writs'*，輸入 *City* 將得到 *city, cities, city's* 或 *cities'*

#### D、特殊符號 special symbols

很多鍵盤沒有法令引文中經常使用的 § 符號。如果您的鍵盤中沒有這個符號，您可以在它的位置上用@代替。例如，要檢索對 305 的提及：

輸入：@ 305 或者 @305

#### E、同義詞 Equivalentents

**Lexis** 能夠幫助您自動查找一些含義相同的單字或縮寫形式。如果您在搜索中輸入一個單字，您也會查找其所有的同義詞。例如，輸入 *cal* 將幫助您找到 *CA、Cal.* 和 *California* 等形式。

#### F、干擾字 Noise Words

在 **Lexis** 中某些常用單字不能作為檢索關鍵字。這類詞統稱為干擾字。由於干擾字非常多，在此無法給出干擾字列表。但在日常文章中經常出現的諸如 *the、of、his、my、when、is* 和 *are* 等字詞都屬於此類干擾字。如不確定時，您可以省略可疑字詞用 */n* 連接詞替代。

**Lexis** 系統按照布林邏輯設計了連接符來定義術語之間的邏輯關係。您可以透過檢索框旁的 **Search Connector** 來確定其含義。

連接詞	範例	含義
<b>OR</b>	<i>environmental protection agency OR EPA</i>	檢索結果中至少包含一個 關鍵字
<b>AND</b>	<i>bank! and deregulation</i>	兩個關鍵字出現在同一檔 案中，但不限定距離與前後 順序
<b>/N</b>	<i>market /5 share</i>	限定兩個關鍵字中間的字

		數大小，表明兩字距離不超過 N 個字
<b>/S</b>	<b><i>circumstance /s mitigating</i></b>	過 N 個字
<b>/P</b>	<b><i>rule /p sanction</i></b>	兩個關鍵字出現在同一句中
<b>PRE/N</b>	<b><i>cable pre/2 television</i></b>	中
		兩個關鍵字出現在同一段
<b>NOT/N</b>	<b><i>Rico not/2 Puerto</i></b>	中
		限定兩個關鍵字出現在同一文中，第一個字必須出現在第二個字前 N 個字
		兩個關鍵字出現在同一文中，第一個字後 N 個字內不能出現第二個字
<b>AND NOT</b>	<b><i>trust and not charitable</i></b>	用以排除隨後的關鍵字，在搜索指令的最後部分使用此連接詞

### 精確檢索指令 Precision search commands

除了連接詞之外，還有幾種指令可以使用，它們可以增加檢索的精確度。

#### A、Capitalization 大寫

爲了詳細說明檢索詞全部爲大寫字母 (ALLCAPS)，沒有大寫字母(NOCAPS)或者有一個或幾個大寫字母(CAPS)，可以把您的檢索詞用括弧括上，或在對應的命令後面輸入。

含義	檢索範例
acquired immune deficiency syndrome (AIDS)	acquired immun ! OR allcaps (aids)
Aid	nocaps (aid)
Aid	caps (aid)

#### B、Pluralization 單複數形式

有時您可能只想查找某個字詞的複數形式或單數形式。例如，查找討論 Steven Jobs 的檔案，可以鍵入 `steven /3 plural (job)`。如果想把您的搜索限制在單數形式，例如查找 `job`

discrimination，可以鍵入 singular (job) /5 discriminat!。

#### C、At Least 限定出現頻率

如果想查找對某一主題做深入討論而不是僅僅提到而已的檔案，您可以明確規定某個單詞或多個單詞在一篇文檔中出現的最少次數。例如，查找對 CERCLA(Comprehensive Environmental Response, Compensation and Liability Act)做深入探討的檔案，輸入 **atleast 10 (cercla)**。這筆檢索要求 cercla 在每篇文檔中至少出現 10 次。在 ATLEAST 命令中您可以使用從 1 到 255 的任何數字。

#### D、“\*” Asterisk 星號

除第一個字母之外的任何位置，使用星號替代使用字碼中的一個或多個字母。在一個字碼中您可以使用多個\*。例如，wom\*n 可以找到 woman 和 women，bank\*\*\* 找到以 bank 開頭、k 後不多於三個字母的所有單字。比如 banking，但是不會找到 bankrupt 或 bankruptcy。

#### E、“!” Exclamation 驚歎號

使用“!”放在一個單字的字根後，例如：litigat! 便可以找到 litigate 的各種變化

(litigator ,litigated ,litigation 等)，child ! 找到單字 child 的各種變化 (childish,children 等)。

### 2.1.3 Natural Language 自然語檢索

Lexis 提供英文自然語言檢索功能，你可以透過一般描述語言來檢索所需的檔案。此種方法對於初學者和某些複雜問題的研究有很大幫助。您也可以透過附加的 Terms 和 Segment 進行檢索。

- A. 選擇 Natural Language
- B. 鍵入關鍵字，還可以選擇日期範圍。
- C. 點選 Search。

**Search**

Select Search Type and Enter Search Terms

[Terms & Connectors](#)

**Natural Language**

[Easy Search™](#)

[Suggest terms for my search](#)

[Check spelling](#)

**Restrict using Mandatory Terms**  
Specify terms that must be found in retrieved documents

Anywhere in retrieved documents:

Or only within a document segment:  [Select a Segment](#)

Note: Segment availability differs between sources. Segments may not be applied consistently across sources.

**Restrict by Date**

[No Date Restrictions](#)  From  To  [Date formats...](#)

[Search](#)

#### 2.1.4 Easy Search 簡易檢索

爲了滿足一般檢索的需要，Lexis 還提供類似於 Google, Yahoo 的一般檢索引擎。您可透過 Easy Search 實現一站式檢索功能。

A. 點選 Easy Search

B. 選擇檢索詞，通常情況下爲 2~3 個檢索詞，或者輸入片語並以引號括中，當然您也可以輸入連接符。

C. 點選 Search（檢索結果將按照相關度排列）。

**Search**

Select Search Type and Enter Search Terms

[Terms & Connectors](#)

[Natural Language](#)

**Easy Search™**

[Search](#)

**Easy Search**  
Enter terms for your search, and the LexisNexis services will return the most relevant results. Easy Search is optimized for short search queries (two or three terms), and does not require specific search syntax.

**How Do I...?**  
> [Combine sources?](#)  
[View Tutorials](#)



## 2.2 By Topic or Headnote

### Option1: Find a Legal Topic (以 copyright 為例)

- A. 在框中輸入要檢索的法律主題 例如：copyright(版權)。
- B. 點選 **Find**。在檢索結果頁面中瀏覽顯示的主題。選擇您需要的主題。

LexisNexis® Total Research System

Search Research Tasks Get a Document Shepard's® Alerts Total Litigator

by Source by Topic or Headnote by Guided Search Form by Dot Command

Use this page to find legal data based on **areas of law and related legal topics**. Using this page can help you target your legal issue, identify appropriate sources, and formulate your search request.

Recently Used Legal Topics

U.S. Court of International Trade Rules (International Trade Law) Go Edit Recently Used Topics

Look for a Legal Topic

**Option 1:** Find a Legal Topic

Type in your research issue as an individual term, phrase, list or sentence. Enclose phrases in quotation marks.

**Option 2:** Explore Legal Topics

<b>Administrative Law</b> Agency Rulemaking, Governmental Information, Judicial Review, ...	<b>Criminal Law</b> Criminal Offense & Seizure, ...	<b>Legal Ethics</b> Client Relations, Practice Qualifications, Sanctions, ...
<b>Admiralty Law</b> Finds & Salvage, Shipping, Sovereign Immunity & Liability, ...	<b>Education Law</b> Athletics, Departments of Education, Students, ...	<b>Military &amp; Veterans Law</b> Military Justice, Defense Powers, Veterans, ...
<b>Antitrust &amp; Trade Law</b> Monopolization, Price	<b>Energy &amp; Utilities Law</b> Federal Oil & Gas Leases, Mining	<b>Patent Law</b> Infringement Actions, Subject

LexisNexis® Total Research System

Search Research Tasks Get a Document Shepard's® Alerts Total Litigator

by Source by Topic or Headnote by Guided Search Form by Dot Command

Use this page to find legal data based on **areas of law and related legal topics**. Using this page can help you target your legal issue, identify appropriate sources, and formulate your search request.

Recently Used Legal Topics

Fair Use (Copyright Law > Civil Infringement Actions > Defenses) Go Edit Recently Used Topics

Look for a Legal Topic

**Option 1:** Find a Legal Topic

copyright Find

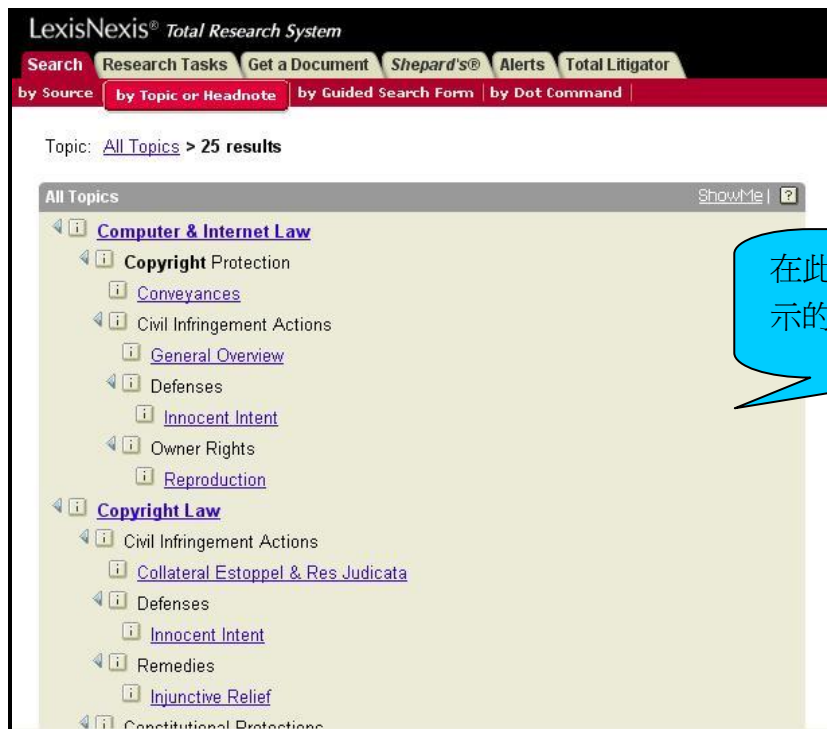
Type in your research issue as an individual term, phrase, list or sentence. Enclose phrases in quotation marks.

**Option 2:** Explore Legal Topics

<b>Administrative Law</b> Agency Rulemaking, Governmental Information, Judicial Review, ...	<b>Criminal Law &amp; Procedure</b> Criminal Offenses, Arrests & Seizure, ...	<b>Legal Ethics</b> Client Relations, Practice Qualifications, Sanctions, ...
<b>Admiralty Law</b> Finds & Salvage, Shipping, Sovereign Immunity & Liability, ...	<b>Education Law</b> Athletics, Departments of Education, Students, ...	<b>Military &amp; Veterans Law</b> Military Justice, Defense Powers, Veterans, ...
<b>Antitrust &amp; Trade Law</b> Monopolization, Price	<b>Energy &amp; Utilities Law</b> Federal Oil & Gas Leases, Mining	<b>Patent Law</b> Infringement Actions, Subject

接下圖



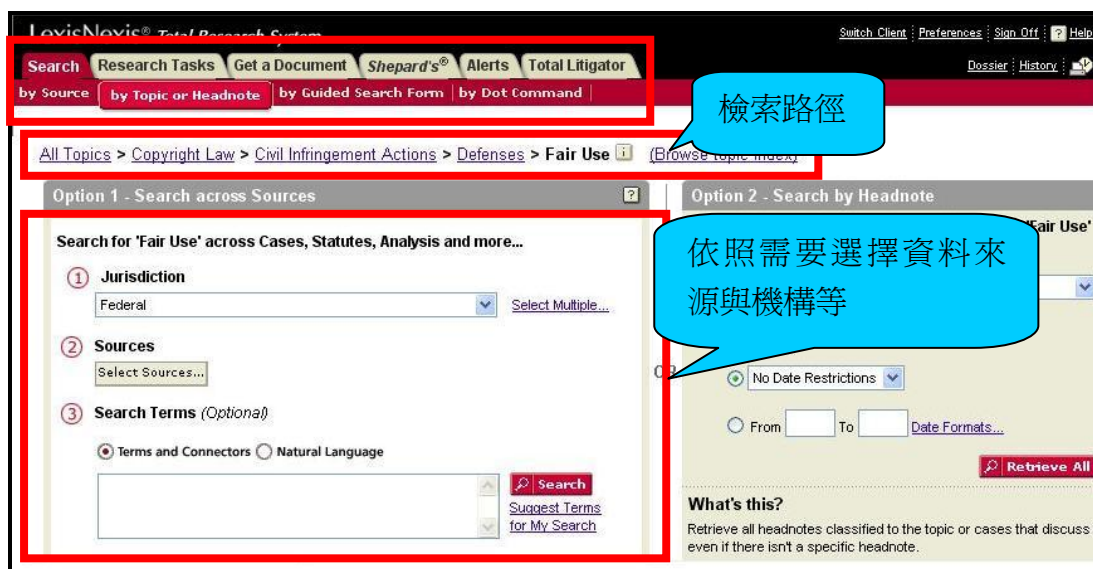


## Option 2 : Explore Legal Topics

當您瞭解某個問題所屬的大致領域，Explore Legal Topics 能夠幫助您在該法律主題內進行深入研究 (請參照 2.3 Table of Contents Sources)。

例如: 在 Copyright Law 主題下研究一般民眾對於網際網路的侵權相關的 Defense :

- 在按照字母順序排列的主題中選擇 Copyright Law。
- 點選 ⊕ 號將 Civil infringement Actions 延展開。
- 再點 ⊕ 號後，將 Infringement Online 延展開。
- 再點選 Defense。
- 按照您的需要選擇 Cases 判例、Analytical Materials 分析性資料 (包括法律新聞) 和 Agency Materials 政府機構等的不同內容，從選單中選擇後再進行檢索。



## 2.3 Table of Contents Sources(TOCs)

可擴展的 Table of Contents Sources 使得您能夠更加方便的按照閱讀習慣瀏覽聯邦和各州的法律法規、法律論著以及其他資源。透過點選 TOCs 的不同層，選擇你所要閱覽的範圍，就能夠透過目錄來確定您的閱覽範圍。

例如：要瀏覽聯邦民事程式規則第十一條(Rules 11 of the Federal Rules of Civil Procedure)。選擇上方功能選項 Search 中的 by Topic or Headnote，再選擇 Legal 標籤，按照 Secondary Legal>Matthew Bender>>By area of law>Federal Practice>Moore's Federal Practice-Civil。

LexisNexis® Total Research System

Search | Research Tasks | Get a Document | Shepard's® | Alerts | Total Litigator

View: TOC 1 - 46 of 46 FAST Print.

Source: [Legal](#) > [Secondary Legal](#) > [Matthew Bender\(R\)](#) > [By Area of Law](#) > [Federal Practice](#) > [§ Moore's Federal Practice - Civil](#)

§ NOTE: (Moore's Federal Practice - Civil) is not included in your flat-rate price plan for this ID. If you conduct a search within this source, you will incur an additional charge.

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Moore's Federal Practice, 3rd Edition Show Me | ?

Terms and Connectors  Natural Language

Search:  Full-text of source documents  Table of Contents (TOC) only

Search Selected Only

[Clear All Selections](#) | [Hide Book Headers](#)

- Publication Information
- INDEX
- What's New
- Volume 1 Analysis: Civil Rules 1 - 6
- Volume 2 Analysis: Civil Rules 7 - 12
  - Chapter 7 Pleadings Allowed; Form of Motions and Other Papers
  - HISTORICAL APPENDIX
  - Chapter 7.1 Disclosure Statement
  - HISTORICAL APPENDIX
  - Chapter 8 General Rules of Pleading
  - HISTORICAL APPENDIX

點選+號擴展目錄，再選擇所要的瀏覽範圍。

## 2.4 Segment 區段檢索

Lexis 中所有檔案由不同的區段 (Segment) 組成，比如，含有當事人名字的案例、案卷編號、日期、簽署該判決意見的法院名稱、判決意見原文和不同的判決意見等。檔案的這些部分通稱為區段。您可以將搜索限制在文檔的特定區段，例如審理該案例的法院、寫判決意見的法官和法令的標題等。區段檢索在您搜索以下內容時尤其有用：

- 牽涉到特定當事人的案例
- 由某個特定的法官寫的判決意見
- 由特定律師或事務所擔任辯護律師的案例
- 在某個特定日起之前或之後判決的案例
- 帶有指定章節或指定標題號的法令
- 關於某個特定主題的新聞報道

- 公司或個人的地址
- 公司的名稱

按文章部分搜索有兩種方法:

- 點選 **Enter Search Terms** 選項下面的 **Restrict Search Using Document Segments**，將會出現 **Segment** 下拉式選項列表，選擇您想查找的 **Segment**，然後輸入檢索詞後點選 **Add**。
- 如果您已經非常熟悉想查找的 **Segment**，可以直接在空格中輸入 **Segment** 欄位名稱，並把關鍵字括弧起來，例如: **Summary (Keyword)**

The screenshot shows the LexisNexis Total Research System search interface. At the top, there are navigation tabs: Search, Research Tasks, Get a Document, Shepard's®, Alerts, Total Litigator, and Transactional Advisor. Below these are search methods: by Source, by Topic or Headnote, by Guided Search Form, and by Dot Command. A note indicates that Combined Source Set 194 is not included in the flat-rate price plan. Below the note, it specifies the source set: Combined Source Set 194 - ABA Administrative Law Review; ABA Criminal Justice. The main search area is titled 'Search' and contains a section for 'Select Search Type and Enter Search Terms'. On the left, there is a list of search types: Terms & Connectors, Natural Language, Easy Search, and a 'Select a Segment' dropdown menu. The dropdown menu is open, showing a list of segments: AUTHOR, BIO, CITE, EXHIBITS, LENGTH <, LENGTH =, LENGTH >, NAME, SECTION-1, TEXT, and TITLE. The 'Select a Segment' dropdown is highlighted with a red box and labeled '方法一'. To the right of the dropdown is a large text input field, also highlighted with a red box and labeled '方法二'. Below the input field are links for 'Suggest terms for my search' and 'Check spelling'. At the bottom of the search area, there is a 'Restrict by Date' section with radio buttons for 'No Date Restrictions', 'From', and 'To', and a 'Date formats...' link.

## 2.5 Get a Document

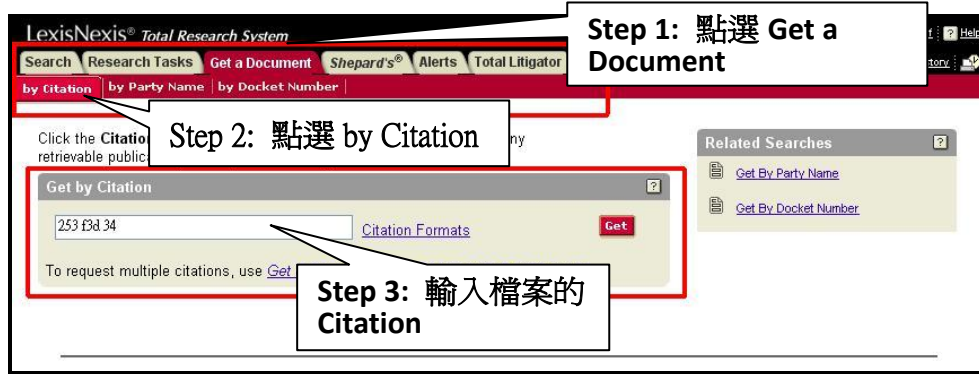
使用 **Get a Document** 您可輕鬆獲得 Lexis 資料庫中有用的文件。透過如下所示的 **Citation** 引證、**Party Name** 當事人姓名（名字）或者 **Docket Number** 案卷編號來檢索文檔。

### 2.5.1 By Citation

- 點選 **Get a Document** 選項。
- 點選 **by Citation** 選項。

C. 輸入您想檢索的檔案的 Citation，例如：253 f3d 34。

D. 選擇 Get。



**Tip 引文格式幫助：**

如果您不確定所需檢索文檔的 Citation 格式，請點選 **Citation Formats**。你可以透過兩種途徑獲得該文獻的引證：

**A. Find a Citation Format：** 鍵入您所不確定文獻的完整或部分名稱。

**B. Explore Publications Alphabetically：** 點擊字母瀏覽列上依照文獻的字母開頭尋找所需文獻的 Citation。點擊出版物名稱右側的縮寫，會出現如下所示的對話方塊。在對話方塊中輸入適當的引文並點選 **Get**。





## 2.5.2 By Party Name

- 在 Party Name 空格中輸入當事人名稱並選擇案件的管轄法院。
- 可使用下拉選單選擇與案件相關的多個法院。
- 從下拉選單中選擇特定的日期範圍。
- 點選 search。

**Tip:** 若只知某一位當事人名稱，則直接在第一格輸入其名稱即可。

The screenshot shows the LexisNexis search interface. At the top, there are navigation tabs: Search, Research Tasks, Get a Document, Shepard's®, Alerts, and Total Litigator. Below these are search method options: by Citation, by Party Name (highlighted), and by Docket Number. The main search area is titled 'Get by Party Name'. It contains two input boxes for party names separated by 'v.'. Below this is a 'Jurisdiction' section with radio buttons and dropdown menus for various court levels: Federal and State Courts, Combined Federal Courts, US Supreme Court, US Courts of Appeals, US District Courts, US Special Courts, State Courts, and Canadian Cases. At the bottom, there is an 'Optional: Restrict by Date' section with a radio button for 'No Date Restrictions' and fields for 'From' and 'To' dates. A 'Search' button is located at the bottom right.

## 2.5.3 By Docket Number

- 透過 Docket Number 案卷編號進行檢索
- 在 Docket Number 框中輸入相應編號，如 00-8452。
- 選擇案件所屬的管轄法院。
- 選擇日期範圍。
- 點選 **Search**。

The screenshot shows the LexisNexis search interface. At the top, there are navigation tabs: Search, Research Tasks, Get a Document, Shepard's®, Alerts, and Total Litigator. Below these are search method options: by Citation, by Party Name, and by Docket Number (highlighted). The main search area is titled 'Get by Docket Number'. It features a text input field for the 'Docket Number' containing the value '00-8452'. Below this is a 'Jurisdiction' section with radio buttons and dropdown menus for various court levels: Federal and State Courts, Combined Federal Courts, US Supreme Court, US Courts of Appeals, US District Courts, US Special Courts, State Courts, and Canadian Cases. At the bottom, there is an 'Optional: Restrict by Date' section with a radio button for 'No Date Restrictions' and fields for 'From' and 'To' dates. A 'Search' button is located at the bottom right.

### III. 檢索結果分析工具

LexisNexis 為您提供快速分析檔案所需要的全部工具。幫助您檢索新聞報導和公眾記錄之類的其他相關檔案，並提供最符合您需要的文獻。學會使用檔案處理的各種工具，您會發現您的檢索變得更加專業、省時、有效率！

- 多樣的瀏覽模式 Display Formats
- 方便的檔案瀏覽工具 Navigation
- 精確檢索 FOCUS™
- 跨庫檢索 More Like This(More like selected text)
- 檢索歷史 HISTORY

#### 3.1 瀏覽方式

**Cite**——顯示您搜索結果的文獻列表。

**KWIC™**——預設值允許頁面顯示關鍵字兩側的 25 個單字。您也可以按需要在 1~999 個單字之間調整。

**Full**——顯示文檔的全部原文。

**Custom**——顯示按照你的習慣設定的檢索結果出現的部分。



##### 3.1.1 Cite

Cite List Overviews 是對跟某個案例有關的重要論點的簡要總結。選擇 **Options** 中的 Show Cite List Overviews 後，Cite List Overviews 將出現在判例文檔引證下方的引用列表中。Cite List Overviews 為您快速提供某個案例的法律問題總結，可以幫助您迅速確定搜索結果中與您的研究最相關的檔案。其中 Case Summaries 為 LexisNexis 獨家編寫並包括 Procedural Posture, Overview 和 Outcome 的案例分析總結。Core Terms 主要針對判決關鍵詞彙總。並且透過點選 Show Hits 可以在判決中突顯標注檢索詞。

點選 Show Hits 可以在判決中突顯檢索詞

點選檢索結果中的檔案名稱，即進入該檔案的詳細資訊頁面。

OVERVIEW: software distributors could be found liable for the software's lawful uses, since the distributors knew to download copyrighted works and the evidence clearly indicated software be used for copyright infringement.

CORE TERMS: infringement, software, user, infringing, noninfringing, copyrighted, network, technology, music, holder ...

... ability to access popular copyrighted music. and anyone whose ...

### 3.1.2 KWIC

當您以 KWIC 格式瀏覽文檔時，系統預設顯示法律性檔案關鍵字前後 25 個單字（法律文本，如案件、法令等），新聞性檔案（報紙文章、公司檔案等）內容中關鍵字兩側的 15 個單字。您可以透過點選 KWIC 改變顯示的單字數目。輸入您希望在每個檢索詞周圍顯示的單字數，然後選擇 OK。

點選 KWIC 瀏覽方式，可看到預設值為顯示關鍵字前後 25 個單字。再點選 KWIC 即進入另一視窗，可修改其預設值。

接  
下  
圖

由此修改預設值

Topic: General Overview - Copyright Cases, Federal  
Search Terms: pop!5 music or song  
Words: Display 25 words on either side of search terms.  
(Enter a number between 1 and 1000.)

### 3.1.3 Custom

點選 Custom 可以顯示您目前所瀏覽檔案的某個特定 Segment。會出現如下一頁的畫面。點選 Clear All，勾選欲顯示的 Segment，點選 OK，就可顯示特定 Segment。



The screenshot shows the LexisNexis Total Research System interface. At the top, there are navigation tabs: Search, Research Tasks, Get a Document, Shepard's®, Alerts, and Total Litigator. Below these, there's a search bar with 'FOCUS™ Terms' and a search button. The main content area shows search results for 'pop5 music or song'. A red box highlights a '1 - 0' indicator, with a red arrow pointing down to the 'Custom View Options' dialog box. The dialog box has a title bar 'Custom View Options' and a source field 'Source: Copyright Cases, Federal'. It contains a list of 'Available Segments' with checkboxes, including Cites, Concur, Concurby, Core-terms, Counsel, Court, Court-text, Date, Disposition, Dissent, Dissentby, Headnotes, History, Judges, Name, Notice, Number, Opinion, Opinionby, Opinions, References, Syllabus, and Writtenby. A blue callout box with a white border contains the text: '可從這裡自訂顯示所勾選的 Segment，確定後再點選 OK 即可。' (You can customize the display of the selected segments here, and click OK after confirmation.)

## 3.2 文檔閱讀

### 3.2.1 Case Summaries 案件摘要

由專業律師編輯編寫，針對案件有針對性地進行描述。每個案件的 Case Summaries 包含三個部分：

1. **Procedural Posture** 案件描述—簡要介紹案件在該法院審理之前的歷史
2. **Overview**—提供該法院對案件中提及之法律爭點所持的態度
3. **Outcome** 提供法院對該案例所裁定之結果。



### 3.2.2 Core Terms 重要辭彙

由系統針對案件全文中最常提及的字詞中挑選出來之關鍵字，可以作為 Segment 進行搜索(見下圖)。

LexisNexis® Total Research System

Search Research Tasks Get a Document Shepard's® Alerts Total Litigator

FOCUS™ Terms Search Within Original Results (1 - Go → Advanced..

View: Cite | KWIC | Full | Custom 1 of 311 FAST Print... Print | Download | Fax | Email | IT

More Like This | More Like Selected Text | Shepardize® | TOA

MGM Studios Inc. v. Grokster, Ltd., 545 U.S. 913 (Copy w/ Cite) Page

**DISPOSITION:** Vacated and remanded.

[Case in Brief \(\\$\)](#)  
Time-saving, comprehensive research tool. Includes expanded summary, extensive research and analysis, and links to LexisNexis® content and available court documents.

**CASE SUMMARY**

**PROCEDURAL POSTURE:** Petitioner copyright holders sued respondent software distributors, alleging that the distributors were liable for copyright infringement because the software of the distributors was intended to allow users to infringe copyrighted works. Upon the grant of a writ of certiorari, the holders appealed the judgment of the United States Court of Appeals for the Ninth Circuit which affirmed summary judgment in favor of the distributors.

**OVERVIEW:** The distributors were aware that users employed their free software primarily to download copyrighted files, but the distributors contended that they could not be contributorily liable for the users' infringements since the software was capable of substantial noninfringing uses such as downloading works in the public domain. The U.S. Supreme Court unanimously held, however, that the distributors could be liable for

**OUTCOME:** The judgment affirming the grant of summary judgment to the distributors was vacated, and the case was remanded for further proceedings.

**CORE TERMS:** infringement, software, user, infringing, noninfringing, copyrighted, network, technology, music, holder, download, infringe, peer-to-peer, copyright infringements, contributory, summary judgment, copying, lawful, distributor, inducement, patent, recording, digital, commerce, sharing, secondary liability, advertising, distribute, downloading, time-shifting

### 3.2.3 Headnote 批註

LexisNexis Headnotes 是由擁有律師資格的編輯人員，直接由案例全文中挑選出重要的法律爭點，直接從法院語言中提取出來的案件法律關鍵點。您可以使用 LexisNexis Headnotes：追蹤法院在討論某個案件的法律關鍵點時使用的語言，也可以透過直接鏈結到案件的有關章節、其他相關檔案、有關批註或其他資訊。

**LEXISNEXIS® HEADNOTES** Hide

Business & Corporate Law > Distributorships & Franchises > Trademark Licensing

Copyright Law > Civil Infringement Actions > Liability of Related Defendants > Contributory Infringement

HN1 One who distributes a device with the object of promoting its use to infringe copyright, as shown by clear expression or other affirmative steps taken to foster infringement, is liable for the resulting acts of infringement by third parties. [More Like This Headnote](#) | [Shepardize: Restrict By Headnote](#)

Business & Corporate Law > Distributorships & Franchises > Trademark Licensing

Copyright Law > Civil Infringement Actions > Liability of Related Defendants > Contributory Infringement

Copyright Law > Civil Infringement Actions > Liability of Related Defendants > Vicarious Liability

HN2 When a widely shared service or product is used to commit copyright infringement, it may be impossible to enforce rights in the protected work effectively against all direct infringers, the only practical alternative being to go against the distributor of the copying device for secondary liability on a theory of contributory or vicarious infringement. [More Like This Headnote](#) | [Shepardize: Restrict By Headnote](#)

### 3.2.4 Relate Content 相關文件導覽

相關文件是 lexis.com 針對案例法使用的新功能，讓使用者在查看內容時，可以更深入全面的瞭解這些案例彼此所影響的深度與廣度。相關文件幫助使用者避免再次的使用不同檢索方式，去獲得其他可能相關的資料。讓使用者簡單的找到他們需要的文件，甚至是他們沒想到但是對他們有用的資訊；使用者可因此收集到更全面完整的文件進行分析。

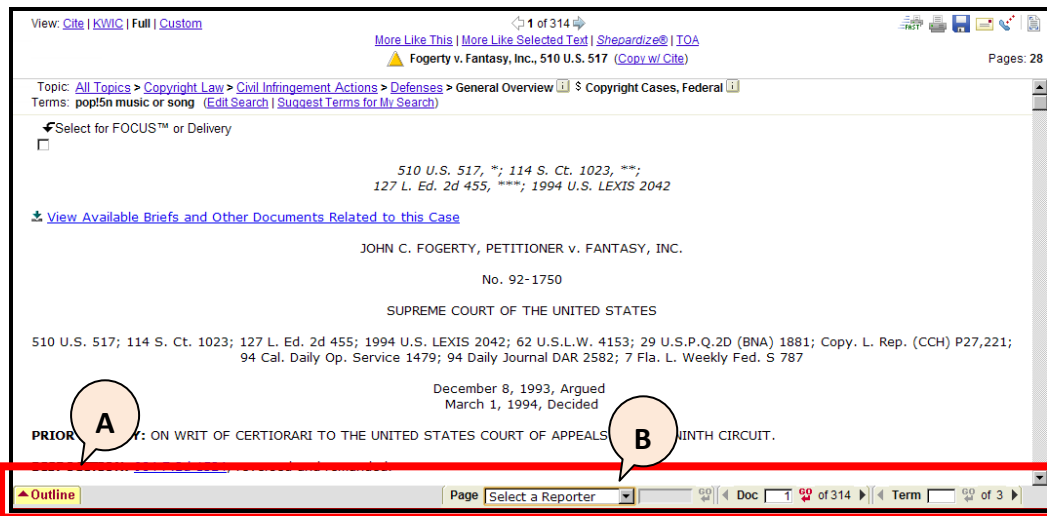


### 3.3 Display and Navigation Tools 瀏覽和導航工具

您可以使用檢索結果頁面底部的導航列來瀏覽檢索結果，透過導航列您可以直接看到檔案中的特定部分、含有已編頁的案例彙編檔案中特定的頁碼、顯示某個特定的檔案或某個特定的檢索詞。

#### 3.3.1 Lower Navigation Frame 底部導航框

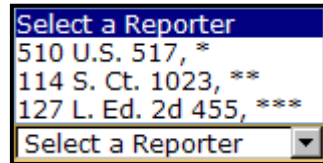
請見 3.3.2、3.3.3、3.3.4 詳細說明。



### 3.3.2 定位到文檔的特定部分

A. 當文檔以 **Full** 格式顯示時，點擊 **Outline** 按鈕，使用出現的功能表定位到文檔內的特定片段（如“body”或“opinion”）或文檔的頂端。

B. 在 **Select a reporter** 的下拉功能表中選擇您想使用其標記頁數的案例集名稱（或者檔案的流動標題）。您選中的案例集名稱將會在頁面頂部以紅色標記出來；該案例集的頁碼索引將會在文檔中以紅色標記。然後點選 **Go** 旁邊的頁碼框，輸入您想到達的頁碼，點選 **Go**。



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disposition  
case summary  
procedural posture  
overview  
outcome  
core terms  
lexisnexis?headnotes  
decision  
summary  
lawyers' edition headnotes  
syllabus  
counsel  
judges

### 3.3.3 顯示文檔

在 **Doc** 旁邊的框內輸入頁碼，點選 **Go** 可以到達特定檔案（在 **Go** 按鈕旁邊顯示的是搜索結果中的檔案數目）。使用右箭頭鍵或左箭頭鍵可以到達搜索結果中的前一個或後一個檔案。



### 3.3.4 定位到特定的檢索詞

A. 您可以透過以下方式找到檔案中的關鍵字：  
點選右箭頭鍵到達檔案中的第一個檢索詞。

B. 在 **Term** 旁邊的框內輸入檢索詞的號碼，點選 **Go** 可以到達特定的檢索詞（文章中檢索詞的數目顯示在 **Go** 按鈕的旁邊）



**Tip:** 可使用右箭頭鍵或左箭頭鍵可以到達檢索結果中的前一個或後一個檢索詞。

### 3.4 FOCUS 精確檢索

經由分析您獲得的結果，可能需要對其中某一部分進行深入研究。您可以借助 Lexis.com 的 FOCUS 功能實現在現有基礎上的檢索，同時也可以重新建立鏈結。

點選檢索結果介面頂端的 FOCUS，鍵入需要強調的關鍵字術語以 Terms & Connector 的方式，並點選 Advanced。

The screenshot displays the LexisNexis Total Research System interface. At the top, there is a navigation bar with options like 'Search', 'Research Tasks', 'Get a Document', etc. Below this, a search bar contains 'FOCUS™ Terms' and a 'Search Within' dropdown set to 'Original Results (1 - 314)'. A red rectangular box highlights the 'Advanced...' link next to the search bar. A blue callout bubble with the text '點選 Advance' points to this link. Below the search bar, there is a 'Related Content' section with a 'Case File' and 'Prior and Subsequent Proceedings' subsections. A 'FOCUS™' search configuration window is overlaid on the page, showing the following details:
 

- Topic: General Overview - Copyright Cases, Federal
- Search Terms: pop15n music or song
- Search Within:  Original Results (1 - 314)  Selected Documents [ ] e.g. 1,3-5,9
- FOCUS Terms: [ ]
- Restrict by Document Segment: Select a document segment, enter search terms for the segment, then click Add. [Select a Segment] [ ] [Add]
- Restrict by Date:  No Date Restrictions  From [ ] To [ ] [Date Formats...]

 The window has 'FOCUS™' and 'Cancel' buttons at the bottom right.

### 3.5 跨庫檢索

初次檢索通常不能完全獲得滿意的結果，或者不能瞭解全部案情以及相關的主題。因此查找合適檢索結果並盡可能瞭解全部主題的情況，是用戶的普遍要求。Lexis.com 為您提供了 LexisNexis Headnotes、Core Cites、Core Terms 或原文等選擇來查找其他類似或相關的檔案。Shepard's® Citations Service 還可以顯示在法律或事實方面有相似點的引用案件。

#### 3.5.1 More Like This 同類檢索

如果對於同一主題還需要補充其他的資料，您可以使用 More Like This 來進行跨庫檢索。點選介面上方中央的 More Like This 鏈結，並選擇需要檢索的其他子資料庫。同時您還可以增加新的檢索詞，一併進行檢索。



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FOCUS™ Terms Search Within Original Results (1 - Go -> Advanced...

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1 of 27 NEXT FAST Print... Print | Download | Fax | E

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Campbell v. Acuff-Rose Music, 510 U.S. 569 (Copy w/ Cite)

Topic: All Topics > Copyright Law > Civil Infringement Actions > Defenses > Fair Use > General Overview | Copyright Cases, Federal

Terms: pop! 5 music or song (Edit Search | Suggest Terms for My Search)

Select for FOCUS™ or Delivery

510 U.S. 569, \*; 114 S. Ct. 1164, \*\*;  
127 L. Ed. 2d 500, \*\*\*; 1994 U.S. LEXIS 2052

Campbell v. Acuff-Rose Music

No. 92-1292

SUPREME COURT OF THE UNITED STATES

510 U.S. 569; 114 S. Ct. 1164; 127 L. Ed. 2d 500; 1994 U.S. LEXIS 2052; 62 U.S.L.W. 4169; 29 U.S.P.O.2D (BN&) 1961; Conv. L. Rep. (CCH) P27 222; 22 Media L. Rep. 1353; 94 Cal. Daily Op. Service

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Core Terms (retrieve documents with similar language patterns)

parody  copyrighted  music

"fair use"  derivative  transformative

woman  copying  enquiry

song  parodic  "17 U.S.C.S. 107"

pretty  rap  "471 U.S. 539"

Add Additional Terms and phrases for Core Terms search

Mandatory Terms: Specify a term that must be found in retrieved documents

Date:  No Date Restrictions  From [ ] To [ ]

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可在此選擇其他資料庫

可再增加新的檢索

### 3.5.2 Core Cites & Core Terms

- 點選結果頁面上方的 More Like This 鏈結。
- 查找有類似引證格式的案件，點選 Core Cites 按鈕。  
或者，查找有相似 Core Terms 的案件，點選 Core Terms 按鈕。  
(不選定 Core Terms 旁邊的框可以取消 Core Terms 檢索。您也可以選定的 Core Terms 下面的檢索框中增加其他的 Core Terms)
- 指定 Mandatory Terms 和利用日期限定檢索 (可選項)。
- 點選 Search。

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Recently Used: \$ Copyright Cases, Federal

Search Using:

Core Cites (retrieve documents with similar citation patterns)

Core Terms (retrieve documents with similar language patterns)

parody  copyrighted  music

"fair use"  derivative  transformative

woman  copying  enquiry

song  parodic  "17 U.S.C.S. 107"

pretty  rap  "471 U.S. 539"

Add Additional Terms and phrases for Core Terms search

Mandatory Terms: Specify a term that must be found in retrieved documents

Date:  No Date Restrictions  From  To

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### 3.5.3 More Like Selected Text

如果您發現文檔中的某個段落與您的研究相關，您可以創建自己的 More Like This 搜索。選中這個段落（注意：最多 1000 個單字），並點選檢索結果介面頂部的 More Like Selected Text。More Like This 屬性將使用您選中的術語進行搜索。（您可以增加在檢索到的文檔中必須出現的術語，或者將檢索到的文檔限制在某個日期。）點選 Search。

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Campbell v. Acuff-Rose Music, 510 U.S. 569 (Copy w/ Cite)

Time-saving, comprehensive research tool. Includes expanded summary, extensive research and analysis, and links to LexisNexis® content and available court documents.

CASE SUMMARY

PROCEDURAL POSTURE: Petitioners, a rap music group owner of an original rock ballad, sought review of the judgment for the Sixth Circuit, which reversed a grant of summary judgment on the commercial purpose of petitioners' parody of respondent's use under the Copyright Act of 1976, 17 U.S.C.S. ?107.

OVERVIEW: Petitioners, a rap music group, were sued by respondent, the corporate owner of an original rock ballad, for copyright infringement. Petitioners claimed the song was a parody entitled to fair use protection under the Copyright Act of 1976, 17 U.S.C.S. ?107. The court below found that the commercial purpose of petitioner's parody had prevented it from being a fair use. That judgment was reversed on appeal because the Court found it was error for the court below to have concluded that the commercial nature of petitioners' parody had rendered it presumptively unfair. The Court held that

將您選中的段落反白起來之後，再點選 More Like Selected Text。

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**More Like Selected Text** ?

Recently Used: \$ Copyright Cases, Federal more sources

Terms: a rap music group, were sued by respondent

Mandatory Terms:

Specify a term that must be found in retrieved documents

Date:  No Date Restrictions  From  To

In the future, run search automatically and skip this page Search Cancel

**Tips:** 為了得到最好的搜索結果，請使您選中的段落儘量簡短，例如不多於一段。如果可以的話最好集中在某一個問題上。如果有 Citation，請您務必確認是否已將其選中。

### 3.5.4 More Like This Headnote 同類提要

其他案件中還有更多的類似提要嗎？More Like This Headnote 屬性將幫助您實現這一功能。當您在某個案件中找到了一個有關的 LexisNexis Headnotes 時，使用 More Like This Headnote 可以找到含有類似提要的案件。More Like This Headnote 屬性還可以在判決意見原文中查找緊密相關的語言。

一旦您找到了一個相關的 LexisNexis Headnote：

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- B. 選擇法域。（您之前搜索的法域為預設值。）您可以將檢索限定在特定日期（可選擇）。
- C. 點選 Search 後即可瀏覽您的搜索結果。在檢索結果中顯示檢索到的批註和判決意見中高度符合的段落。您最多可以得到 250 個帶有高度符合批註或高度符合案件討論的案例，這些案例按照相關度排列。使用介面頂端的 Sort By 框可以按照法院/日期或日期重新排序。使用 Digest 視圖中的鏈結可以移動到指定的案例、相符合的批註或討論。



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▲ Campbell v. Acuff-Rose Music, 510 U.S. 569 (Copy w/ Cite)

translation, musical arrangement, dramatization, fictionalization, motion picture version, sound recording, art reproduction, abridgment, condensation, or any other form in which a work may be recast, transformed, or adapted. A work consisting of editorial revisions, annotations, elaborations, or other modifications which, as a whole, represent an original work of authorship, is a derivative work. 17 U.S.C.S. ?101

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Copyright Law > Civil Infringement Actions > Defenses > Fair Use > General Overview

HN3 See 17 U.S.C.S. ?1

Copyright Law > Civil Infringement Actions > Defenses > Fair Use > General Overview

HN4 The fair use doctrine permits and requires courts to avoid rigid application of the copyright statute when, on occasion, it would stifle the very creativity which that law is designed to foster. More Like This

Copyright Law > Civil Infringement Actions > Defenses > Fair Use > General Overview

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HN4 - The fair use doctrine permits and requires courts to avoid rigid application of the copyright statute when, on occasion, it would stifle the very creativity which that law is designed to foster.

Jurisdiction: Coverage Dates

Original Source: Copyright Cases, Federal

Federal and State Courts: \$ All Federal & State Courts, Combined

Combined Federal Courts: \$ All Federal Courts

\$ US Supreme Court

US Courts of Appeals: \$ All US Courts of Appeals

US District Courts: \$ All District Courts

US Special Courts: \$ US Court of Federal Claims

State Courts: \$ All State Courts, Combined

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Sort By: Closest Match

Source: Legal > /.../ > \$ Copyright Cases, Federal

More Like: HN4 - The fair use doctrine permits and requires courts to avoid rigid application of the copyright statute when, on occasion, it would stifle the very creativity which that law is designed to foster. Campbell v. Acuff-Rose Music, 510 U.S. 569, 1994 U.S. LEXIS 2052 (U.S. March 7, 1994, Decided)

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▲ 1. Norse v. Henry Holt & Co., 791 F.2d 563, 1993 U.S. App. LEXIS 7873 (9th Cir., April 16, 1993, Filed )?br class="br"/>  
OVERVIEW: A grant of summary judgment in favor of appellee publishers in a copyright infringement claim was reversed and remanded; the trial court erred in using a substantial similarity analysis where appellees admitted to copying from appellant's work.  
HN3 - The question of whether a copying is substantial enough to be actionable may be best resolved through the fair use doctrine, which permits courts to avoid rigid application of the copyright statute when, on occasion, it would stifle the very creativity which that law is designed to foster. More Like This Headnote?/TD>

▲ 2. Sobhani v. @radical.media, Inc., 757 F. Supp. 2d 1234, 2003 U.S. Dist. LEXIS 2619 (D. Cal., February 10, 2003, Decided )?br class="br"/>  
OVERVIEW: Because copyrighted work pervaded the derivative work, the director's Spec Commercials, and because the director used the previous work without authorization, no copyright protection was afforded to the Spec Commercials under the Copyright Act.  
HN7 - In determining whether given conduct constitutes copyright infringement, the affirmative defense of fair use permits courts to avoid rigid application of the copyright statute when, on occasion, it would stifle the very creativity which that

Explore Page Select a Reporter

Doc 1 60 of 100 Term 60 of 60



## IV. Shepard's® 報告

你知道這些符號是做什麼用的嗎？



### 4.1 Shepard's® Citation 服務

普通法系最重要的原則之一是遵循先例原則（doctrine of stare decisis），如何更好的研究判決，掌握案件的發展歷程以及原則的變遷，是每個普通法系實務工作者和研究人員所共同關注的追求。今天，您可獨一無二的透過 LexisNexis®享受具有 130 年歷史並且享譽全球的 Shepard®報告服務。它不僅是您掌握案件、法律有效性的幫手，同時也能從研究者的角度深入剖析與之相關的案件、法律、期刊論文和新聞資料。

**Shepard's Citation 服務**提供以下材料之綜合引證歷史和評價

- 聯邦判例法，包括未公佈之判決
- 來自全部 50 州及 D.C.和波多黎各的判例
- 美國法典以及來自於全部 50 州的法典
- 規章，包含聯邦行政法典
- 美國和州的憲法條文
- 法院規則，包括聯邦證據規則和聯邦民事程式規則
- 特定的法律出版物
- 單個美國專利
- 加拿大判例法





同時，Shepard's 還能提供查找淵源的功能，如查找所引用案例和相關的文章。

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- 判決公佈並上傳之後的 24~48 小時便可獲得全面的分析材料
- 未公佈的判決，法律期刊和法律注釋
- 驗證淵源的官方和非官方引證
- 鏈結所引用案例的相關案件
- 最便捷的方法支援查找法律爭點或事實狀態

## 4.2 指示符號意義

在 Shepard's 中的指示符號 (legend)

	<b>警告，存在負面的評價</b> 之後的判決中有強烈的否定歷史或評價，例如 <i>overruled</i> 或 <i>reversed</i>
	<b>警告，引用的法院有質疑</b> 由於某些情況或事實的出現，包括司法或立法否定，導致的對案件某些爭點的有效性和程式價值的質疑
	<b>注意，可能負面的評價</b> 在隨後的判決中可能是負面的評價，例如 <i>limited</i> 或 <i>criticized</i>
	<b>正面的評價</b> 隨後判決中的評價與此案例的沿革對該案由正面的影響，如 <i>affirmed</i> 或 <i>followed</i>
	<b>被引用或者存在中性的分析</b> 隨後的判決中未出現正面或者負面的評價，例如 <i>explained</i>
	<b>存在引證文獻</b> 雖然有文獻引用，但在隨後無任何判決有相關評價或歷史沿革，如被法律期刊引用。

## 4.3 Shepardize® a case at Lexis

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- D. 點選 Check

- Shepard's for Validation (KWIC)——顯示後續的歷史以及經過編輯的案件評價。
- Shepard's for research(FULL) 除了顯示可用的引用文獻之外，還顯示該引用文獻之前和之後的歷史。還包括 Shepard's Summary，透過它能夠大概指明引用文獻的淵源。

#### 4.4 閱讀 Shepard 報告

- A. Shepard's 記號標識，表明 McNeil 案在後續歷史中有負面的評價。
- B. Shepard's Summary 為您提供重要歷史和引用文獻快速、簡潔的彙編。點選任何分組，比如 Overruled(2)可以直接獲得該案件的資訊，並且突出顯示每個案件的名稱。如果想隱藏 summary，點選 Hide Summary 鏈結。
- C. 使用新的導航列可以快速瀏覽報告。只需要定位、點選就可以。
- D. 多重的瀏覽方式選擇。選擇 Custom 可將您的檢索縮小到特定的評價、管轄、日期範圍和顯示特定案例集批註的引用文獻。
- E. 點選 treatment，例如 Followed By，可以得到該 treatment 的具體含義。同時也可以透過點選介面左下角的 Legend 鏈結查看 Shepard's 記號的定義。

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*McNeil v. Economics Laboratory, Inc., 800 F.2d 111, 1986 U.S. App. LEXIS 29174, 41 Empl. Prac. Dec. (CCH) P36492, 41 Fair Empl. Prac. Cas. (BNA) 1789 (7th Cir. Ill. 1986)*

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- Cautionary Analyses: [Distinguished \(6\)](#)
- Positive Analyses: [Followed \(10\)](#)
- Neutral Analyses: [Concurring Opinion \(1\)](#), [Dissenting Op. \(2\)](#), [Explained \(1\)](#)
- Other Sources: [Law Reviews \(13\)](#), [Statutes \(1\)](#), [Treatises \(14\)](#), [Court Documents \(17\)](#)

**LexisNexis Headnotes:** [HN2 \(3\)](#), [HN3 \(7\)](#), [HN4 \(11\)](#), [HN5 \(7\)](#), [HN6 \(12\)](#), [HN8 \(5\)](#), [HN9 \(20\)](#), [HN10 \(8\)](#), [HN11 \(10\)](#), [HN13 \(12\)](#), [HN14 \(10\)](#), [HN15 \(5\)](#), [HN16 \(60\)](#), [HN17 \(29\)](#), [HN18 \(14\)](#)

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- 1. [McNeil v. Economics Laboratory, Inc., 1985 U.S. Dist. LEXIS 22994, 41 Fair Empl. Prac. Cas. \(BNA\) 1774 \(N.D. Ill. Jan. 30, 1985\)](#) ●
- 2. **Later proceeding at:**  
[McNeil v. Economics Laboratory, Inc., 1985 U.S. Dist. LEXIS 18850, 41 Fair Empl. Prac. Cas. \(BNA\) 1779 \(N.D. Ill. June 17, 1985\)](#) A  
▶ **Affirmed by (CITATION YOU ENTERED):**  
[McNeil v. Economics Laboratory, Inc., 800 F.2d 111, 1986 U.S. App. LEXIS 29174, 41 Empl. Prac. Dec. \(CCH\) P36492, 41 Fair Empl. Prac. Cas. \(BNA\) 1789 \(7th Cir. Ill. 1986\)](#) ●

**SUBSEQUENT APPELLATE HISTORY ( 2 citing references )** [Hide Subsequent Appellate History](#)

- 3. **Writ of certiorari denied:**  
[McNeil v. Economics Laboratory, Inc., 481 U.S. 1041, 107 S. Ct. 1983, 95 L. Ed. 2d 823, 1987 U.S. LEXIS 2021, 55 U.S.L.W. 3746, 42 Empl. Prac. Dec. \(CCH\) P36984, 43 Fair Empl. Prac. Cas. \(BNA\) 1056 \(1987\)](#) A
- 4. **Costs and fees proceeding at:**  
[McNeil v. Economics Laboratory, Inc., 1988 U.S. Dist. LEXIS 18590, 48 Fair Empl. Prac. Cas. \(BNA\) 1432 \(N.D. Ill. Nov. 4, 1988\)](#) A

---

**CITING DECISIONS ( 107 citing decisions )**

**2ND CIRCUIT - U.S. DISTRICT COURTS**

- 5. **Cited by:**  
[Buscemi v. Pepsico, Inc., 736 F. Supp. 1267, 1990 U.S. Dist. LEXIS 4233, 53 Empl. Prac. Dec. \(CCH\) P39906, 62 Fair Empl. Prac. Cas. \(BNA\) 425 \(S.D.N.Y. 1990\)](#) ◆  
  
736 F. Supp. 1267 [p.1270](#)
- 6. **Cited by:**  
[Nobler v. Beth Israel Medical Center, 715 F. Supp. 1000, 1989 U.S. Dist. LEXIS 6667, 50 Empl. Prac. Dec. \(CCH\) P39160, 55 Fair Empl. Prac. Cas. \(BNA\) 1000 \(S.D.N.Y. 1989\)](#) ▲ LexisNexis  
Headnotes [HN16](#)

[Trail](#) | [Summary](#) | [Legend](#) Cites Total (156) GO of 156

可使用導覽列  
來快速瀏覽



- F. 引用判決是按照管轄和法院的順序排列的，並且按照日期分類。也可以找到法律評論、注釋和評價的引證。點選引用文獻可以移動到該文獻的全文。點選定位（pinpoint）引證，（例如 p.1423）可以移動到該頁。點選 Return to Shepard's 鏈結可以回到您的 Shepard's 結果。
- G. 點選上方的 FOCUS 功能，可在您的引證文獻中搜索您需要的爭點和事實格局。
- H. 點選 TOA 可以看見引證的 Table Of Authorities 報告，檢查 McNeil 所引用的淵源的有效性。

The screenshot displays the LexisNexis Total Research System interface. At the top, there are navigation tabs: Search, Research Tasks, Get a Document, Shepard's®, Alerts, Total Litigator, and Transactional Advisor. Below these is a search bar with the text "New TOA:" and a "Go" button. The main content area shows "View: Full" and "Unrestricted | FOCUS™ | Restrict By:". A red box highlights the text "Shepard's® TABLE OF AUTHORITIES for: 800 F.2d 111 (Shepardize®)". Below this, there is a "Signal" section with a warning icon and the text "Warning: negative treatment indicated (Legend)" and "Trail: Unrestricted". The main heading is "800 F.2d 111" followed by "TABLE OF AUTHORITIES (Copyright 2008 SHEPARD'S Company. All rights reserved.)". Underneath, it says "28 DECISION(S) CITED BY: 800 F.2d 111" and "U.S. Supreme Court". There are two entries under "Following:" with checkboxes. The first entry is "1. Following:" with a checkbox and a link to "Texas Dep't of Community Affairs v. Burdine, 450 U.S. 248, 101 S. Ct. 1089, 67 L. Ed. 2d 207, 1981 U.S. LEXIS 75, 49 U.S.L.W. 4214, 25 Empl. Prac. Dec. (CCH) P31544, 25 Fair Empl. Prac. Cas. (BNA) 113, 9 Fed. R. Evid. Serv. (CBC) 1 (1981)▲". The second entry is "2. Following:" with a checkbox and a link to "McDonnell Douglas Corp. v. Green, 411 U.S. 792, 93 S. Ct. 1817, 36 L. Ed. 2d 668, 1973 U.S. LEXIS 154, 5 Empl. Prac. Dec. (CCH) P8607, 5 Fair Empl. Prac. Cas. (BNA) 965 (1973)Q".

- I. 每個引證文獻都被編上號碼，方便使用者閱讀。
- J. 新的 Display Options 連結使您可以顯示或隱藏引證文獻的 Shepard's 記號標示、準確的頁碼和批註文獻。

#### 4.4.1 Shepard's Summary

Shepard's Summary 以大綱的形式說明案件的 Shepard 情況。您可透過這種方式，迅速判定案件被推翻的爭點之所在。您也可以透過 followed 來判斷其獲得了正面的肯定。

**Unrestricted Shepard's Summary**

[No negative subsequent appellate history.](#)

**Citing References:**

- Warning Analyses: [Overruled \(1\)](#)
- Cautionary Analyses: [Distinguished \(6\)](#)
- Positive Analyses: [Followed \(10\)](#)
- Neutral Analyses: [Concurring Opinion \(1\)](#), [Dissenting Op. \(2\)](#), [Explained \(1\)](#)
- Other Sources:  **32. Overruled by:**

[Coston v. Plitt Theatres](#), 860 F.2d 834, 1988 U.S. App. LEXIS 14758, 48 Empl. Prac. Dec. (CCH) P38422, 48 Fair Empl. Prac. Cas. (BNA) 248 (7th Cir. Ill. 1988) [LexisNexis Headnotes HN9, HN10](#)

860 F.2d 834 [p.836](#)

- 33. Cited by:**

[Overgard v. Cambridge Book Co.](#), 858 F.2d 371, 1988 U.S. App. LEXIS 16564, 47 Empl. Prac. Dec. (CCH) P38340, 47 Fair Empl. Prac. Cas. (BNA) 1623 (7th Cir. Wis. 1988)

[LexisNexis Headnotes HN9, HN10, HN11, HN18](#)

858 F.2d 371 [p.377](#)

- A. 選擇任何顯示出來的分組：
- B. 點選分析類型的鏈結，比如“Overruled”。移動到第一個文獻（案件、法律評論等）。藉由點選文獻上相關的鏈結，可以切換到第一次提到該案處。
- C. 如果引證文獻是個判決意見，點選關鍵頁碼鏈結，例如 p.836，可以直接移動到給出特定分析的地方。可再點選 Return to Shepard's 鏈結返回。
- D. 如果想瀏覽有相同評價的下一個引證文獻，利用畫面中右下角的 Shepard's 導航列。點選右箭頭鍵。

#### 4.4.2 Focus™ Feature

當您透過 LexisNexis®來檢索所引用文獻中相對應的相關文獻。並可藉由使用 Focus 的功能來確定淵源中的問題、事實以及法律爭點。同時透過選擇一組引證—透過分析、管轄、批註或者日期範圍。同時也可以迅速透過檢索在介面上端獲得所有負面的評價的提示。

- A. 在開始閱讀案例前使用 FOCUS 將搜索結果縮小到某個特定的事實狀況或法律問題。
- B. 將 Custom Restrictions 和 FOCUS 聯合使用以縮小搜索。先用 Custom Restrictions 選擇與您的搜索最相關的法域和/或日期範圍。然後用 FOCUS to zero in on 與您的問題或事實的相關的淵源。
- C. 當您的 FOCUS 結果鏈結到淵源的全文之外時，您的術語將被突出顯示。

- D. 使用日期範圍限制檢索。
- E. 透過引用文獻的綜合，如在某個管轄內的特定分析。
- F. 點選 Apply。

The screenshot shows the LexisNexis Total Research System interface. The top navigation bar includes 'Search', 'Research Tasks', 'Get a Document', 'Shepard's®', 'Alerts', 'Total Litigator', and 'Transactional Advisor'. The main search area is titled 'FOCUS™ - Restrict By: 800 F.2d 111'. It includes a 'Type' dropdown set to 'Analysis, Focus, Jurisdictions' and an 'Apply' button. Below this, the 'Restrict By: Analyses: Followed' section is highlighted with a red box. It shows 'Analysis available in FULL: Select All Clear All' and 'Positive: [x] Followed (12)'. To the right, the 'FOCUS Terms' field contains 'front pay w/30 future loss'. Below the search form, the 'Jurisdictions available in FULL' section is also highlighted with a red box, showing a grid of federal circuits with checkboxes and counts. A red arrow labeled '接下圖' (Continue to next image) points from the 'Apply' button area to the second screenshot.

The second screenshot shows the 'New TOA' page for '800 F.2d 111'. It displays the 'Shepard's® TABLE OF AUTHORITIES for: 800 F.2d 111 (Shepardize®)'. A signal icon indicates a warning: 'Warning: negative treatment indicated (Legend)'. The trail is 'Unrestricted > Restricted By: Followed: front pay w/30 future loss (Edit)'. The main heading is '800 F.2d 111 TABLE OF AUTHORITIES (Copyright 2008 SHEPARD'S Company. All rights reserved.)'. It lists '2 DECISION(S) CITED BY: 800 F.2d 111' under the '1st Circuit - Court of Appeals'. The first entry is '1. Following: Wildman v. Lerner Stores Corp., 771 F.2d 605, 1985 U.S. App. LEXIS 22636, 37 Empl. Prac. Dec. (CCH) P35482, 38 Fair Empl. Prac. Cas. (BNA) 1377 (1st Cir. P.R. 1985)▲ First Ref: 800 F.2d 111 at p. 118'.

#### 4.5 Shepard's® Table of Authorities(TOA)

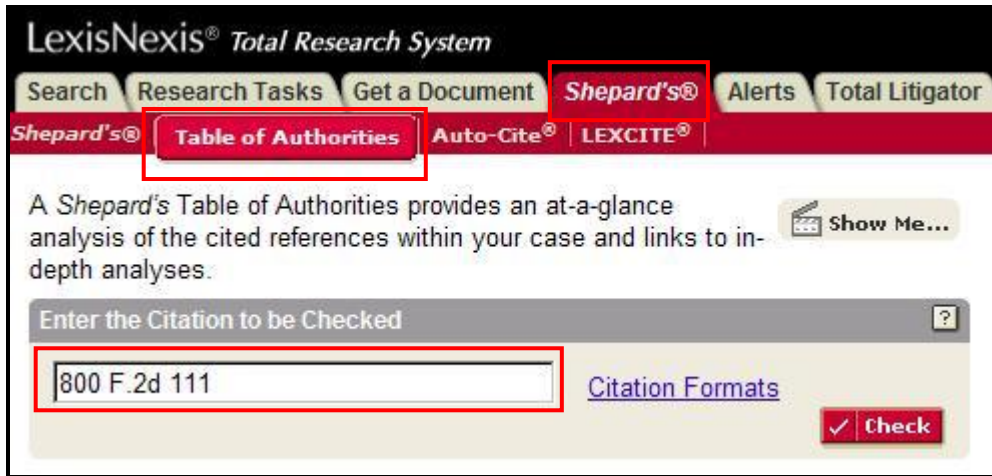
Shepard's Table of Authorities (TOA) 是驗證有效性的工具，它能夠分析你所引用的判例的淵源，而這些通常是整個判決的基礎性內容。同時還能提供：

- 判例基礎的概要分析，甚至在沒有未來負面評價的情況下，也能提供案件未解釋的薄弱點。
- 深度分析案件所引用淵源的情況
- 獲取法律期刊的學術評論



透過對當前案件的淵源的審視，您可對有效性和淵源存在問題的案件更加深入地分析。通常情況下有三種方式獲得該報告：

- 在瀏覽案件時點選畫面的右上方的 TOA link。
- 選擇 Shepard's 後點選 **Table of Authorities** 標籤並輸入該案例號碼(Citation)。



- 在瀏覽 Shepard's 報告時，點選報告上方的 TOA link。

**Tip:** 在報告中通常按照最高法院、聯邦巡迴法院、特別法院以及州法院（按字序從高到低）排列。

## V. 管理

### 5.1 Delivering your documents

透過 Lexis.com 資料庫取得您滿意的文件檔案後，您可以選擇列印、下載到指定硬碟位置、電子郵件、或以檔案的形式來儲存您所需要的結果。



### 5.1.1 Print 列印

點選檢索結果介面上的 Print 鏈結可以顯示 Print Documents 對話方塊。


- A. 從 Printer 下拉功能表中選擇格式。
- B. 在 Document View 中點選下拉式選單選擇顯示格式(例如, Cite, KWIC, Full 或 Custom)。
- C. 選擇 Document Range ( Current Document 、 All Document 或 Selected Document )
- D. 選擇 Text Format Option 。
- E. 選擇 Font Options 。
- F. 點選 Print 按鈕。

文檔將會按您選擇的格式顯示, 例如 Word、WordPerfect、RTF 等。可以選擇的文檔格式列印。


如果只想列印您所瀏覽頁面之純文本, 而不出現頁面中的圖形、導航條或選項, 可點選: 

- A. 經由頁面右上角的鏈結。頁面將重新顯示成只有純文字的畫面。
- B. 此種模式下您可透過使用您的瀏覽器, 如: IE Explorer 來進行列印該純文字頁面。或者也可以使用瀏覽器的「編輯」→「全選」功能來複製純文字頁面, 貼到新的或已有的 word 文件中。
- C. 點選瀏覽器的「上一頁」按鈕退出 Text Only 頁面或返回到正常的瀏覽模式。

### 5.1.2 Download 下載

點選您正在瀏覽的任何檢索結果頁面中的 Download  圖示，指定您想儲存的檔案格式（.txt、.pdf 或 .rtf）。

### 5.1.3 Fax 傳真

點選檢索結果頁面右上方的 Fax  圖示將文件檔案傳真給您自己或其他人。您必須指定要傳真的文件檔案和接收者的傳真號碼。

注意：可能需要額外支付電話費用。

### 5.1.4 E-mail 電子郵件

點選您正在瀏覽的任何檢索結果頁面上的 E-mail  將文件檔案 e-mail 給您自己或其他人。您需要指定要寄送的文件檔案、寄送格式、電子郵件位址或您想發送的位址。

## 5.2 Search History 檢索結果

您的 LexisNexis 檢索和檢索結果會在檢索歷史區塊的 Today's Results 選項中自動保存到一天之內的美國東部時間下午兩點前。例如，如果您在周一下午五點運行一個搜索，搜索結果將會在 History 介面中保存到美國東部時間星期二下午兩點（個人用戶除外）。

1. 點選 lexis.com 功能表畫面右上角的 History。
2. 今天的檢索列表會顯示出來。點選 View Original Results 下面含下劃線的檢索說明，可以瀏覽保存的檢索結果而無需額外付費。點選 Re-run/Edit 可以按正常費用鏈結到檢索畫面，可在此更新或編輯檢索詞。



LexisNexis® Total Research System

Switch Client | Preferences | Sign Off | **History** | Help

Search | Research Tasks | Get a Document | Shepard's® | Alerts | Total Litigator | Dossier | **History**

View Printable History

History

Recent Results | Archived Activity | Filter by Date: from 04/17/2007 to 04/17/2007  On  Off

1-3 of 3

Sort results by

View Original Results (from the last 24 hours)

# Document ID Date Re-run/Edit

More Like:  
 HN4 - The fair use doctrine permits and requires courts to avoid rigid application of the copyright statute when, on occasion, it would stifle the very crea...  
 From: Campbell v. Acuff-Rose Music, 510 U.S. 569, 1994 U.S. LEXIS 2052 (U.S. March 7, 1994, Decided)

Legal Topic: Copyright Law > .. > Fair Use > General Overview  
 Terms: pop! /5 music or song

Legal Topic: Copyright Law > .. > Fair Use > General Overview  
 Terms: pop! /5 music or song  
 Archiving in less than 1 hour

27 Copyright Cases, Federal 02/14/2008 22:02:28 Re-run/Edit

27 Copyright Cases, Federal 02/14/2008 20:31:38 Re-run/Edit

27 Copyright Cases, Federal 02/14/2008 02:58:44 Re-run/Edit

點選鏈結觀看之前所檢索的資訊

3. 點選 **Archived Activities** 標籤，則顯示前 29 天的檢索列表。點選含下劃線的檢索要求可以將其重新整理或對它進行編輯(見下圖)。(如果您的搜索超出了訂閱計劃，介面上將會出現通知。)
4. 點選 **Client ID** 或 **Date** 可以對所有的搜索要求進行分類。點選 **Set Filter** 可以將您的檢索歷史畫面 (history view) 限制在特定的用戶或日期。

The screenshot shows the LexisNexis Total Research System interface. The top navigation bar includes 'Search', 'Research Tasks', 'Get a Document', 'Shepard's®', 'Alerts', and 'Total Litigator'. The 'History' section is active, displaying a table of search results. A blue callout box labeled 'Filter' points to the 'Filter by Date' dropdown menu in the table's header. Below the table, a 'Filter by Date' dialog box is open, showing options to filter results by date range (From: 01/17/2008, To: 02/15/2008) or by a specific date (On: 02/15/2008 (3 activities)).

Re-run/Edit	# Docs*	Source/Service	Client ID	Date	Expires In**
Legal Topic: Copyright Law > .. > Fair Use > General Overview Terms: <a href="#">popl/5 music or song</a>	27	Copyright Cases, Federal		02/14/2008 02:58:44	28
FOCUS™: <a href="#">popl/5 music or song</a>	139	Copyright Cases, Federal		02/13/2008 04:01:43	27
Legal Topic: Copyright Law > Civil Infringement Actions Terms: <a href="#">popl/5 music or song</a>	311	Copyright Cases, Federal		02/13/2008 01:32:12	27
Legal Topic: Copyright Law > Civil Infringement Actions Terms: <a href="#">popl/5 music or song</a>	1945	Copyright Cases, Federal		02/13/2008 01:31:35	27

### 5.3 Alert

Lexis 獨家提供 Alerts 綜合電子簡報服務，其集 Eclipse 文件檔案電子報、Shepard's™ 電子報和 CourtLink® 電子報功能於一身。在該選項下，您可以依個人喜好設定監測和追蹤特定主題，使您在第一時間內掌握相關法律資料的最新動態。

#### LexisNexis® Alert 功能提供：

- 最多可達每天三次更新，同時也可以在每天三次、每個工作日三次、每個禮拜或者一個月中的某一天輕鬆選擇自動更新
- 最新資料：如果您選擇 **Do not include duplicate document** 核取方塊，系統會自動進行資料內容比對，如果超過 90% 的內容雷同或相近，系統可以自動默認為重複資訊而不予提供。
- Alert Watch：您不必為檢索沒有結果而發愁，因為即使沒有找到結果您仍然可以獲得 Alert 幫助，出現新的文件時，仍然可以給您發出提示。



- No new results 未出現新的相關文檔時自動提醒

全部資源範圍內檢索，包括超過 20,000 新聞資訊。

### 5.3.1 設定 Alert

出現檢索結果後，您便可以點擊螢幕頂端中央的 **Save as Alert** 鏈結，並填寫如需要獲得的資訊。

- Name 設定您的檢索名稱。
- Frequency 設定提供提示的時間或頻率。
- Delivery 發送的方式，如 E-mail 或者線上通知。
- 如果沒有新的相關文件檔案出現，可透過 E-mail 的方式提醒。
- Do not include duplicate documents 排除重複的文件檔案。
- Retrieve new documents 獲得新的相關文檔時進行 E-mail 通知。設定完成後點選 **Save** 即可。



### 5.3.2 修改 Alert

每次更新時，您獲得僅僅是新的內容，而不是和先前查找到的資料雷同或相似的文件。而您所儲存的 Alert 檢索內容，每當您點選 **Alerts** 選項時都會全部排列出來，您可以：

- 編輯、更新或刪除儲存的檢索結果
- 進行 FOCUS™ 功能
- 瀏覽之前的檢索結果

The screenshot shows the LexisNexis Total Research System interface. The top navigation bar includes 'Search', 'Research Tasks', 'Get a Document', 'Shepard's®', 'Alerts', 'Total Litigator', and 'Transactional Advisor'. The 'Alerts' section is active, displaying a table of saved alerts. The table has columns for Name, Client ID, Retrieve, Last Viewed, Last Updated, Delivery, and Actions. The table contains five rows of alert data.

Name	Client ID	Retrieve	Last Viewed	Last Updated	Delivery	Actions
694605052-migrant worker		New   By Date   FOCUS	05/28/2007	12/01/2008	Monthly Email	Edit   Delete   Update Now
Anti-Circumvention		New   By Date   FOCUS	06/11/2007	12/22/2008	Weekly Email	Edit   Delete   Update Now
court interpreter		New   By Date   FOCUS	07/28/2008	12/25/2008	Daily Email	Edit   Delete   Update Now
LCD patent litigations		New   By Date   FOCUS	12/04/2007	12/25/2008	B Daily Email	Edit   Delete   Update Now
Nina 122608 Alert		New   By Date   FOCUS	12/25/2008	12/25/2008	Monthly Online Only	Edit   Delete   Update Now