Shepard's Citations

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Shepard's Citations

The Shepard's Citations Service provides a comprehensive case citation and treatment history to verify the validity of case law, statutes, agency opinions, and other legal documents. **Only case law is covered in LexisNexis Academic.**

Shepardizing™ is the practice of using the Shepard's Citations Service to validate a citation.

When you Shepardize® a case, LexisNexis provides a report showing every opinion where that case has been referenced, all treatments of the case, and, most importantly, whether or not the case is "good law." If the case has been overruled, it is considered "bad law" and may no longer be cited as a legal precedent.

Using the Shepard's® Citations Service in LexisNexis Academic to find out the status of a case.

Shepardizing® from within the full-text view of a case

- You can Shepardize® any US federal or state case in LexisNexis Academic
- Open the full text view of the case
- Use the "Next Steps" dropdown box at the top right of the case to select "Shepardize®" OR click on the Shepard's Signal at top left
Starting with a known citation

- If you know the legal citation in proper Blue Book citation format you can use the Shepard's Citations form
- Click the Search by Content Type menu at the top of the Main Page of Academic
- Select the "Shepard's" option in the Legal section
- Enter your citation in the proper format, for example: 349 U.S. 294
- If you are unsure of the exact format to use, click the "Citations Formats" link next to the search box.
- Click the "Check" button

When the LexisNexis® research services display your Shepard's report, click the FOCUS™ - Restrict By link to customize your report. Click the case name links within the list of citing references to view the full text of a particular case. Click your Back button to return to previously displayed pages.

**Reading the Shepard's Report**

A Shepard's report for case law or law review citations could include the following information, if available:

- Case name, citation, court designation, and year
- Prior case history and subsequent appellate history (direct history, and one level of indirect history, if any)
Shepard's editorial treatment analysis codes

Citing references, including the following citations:

* Case law citations with editorial treatment analysis
* Annotated statutes
* Law reviews and bar journals
* Agency Decisions
* Matthew Bender treatises -- not available in LexisNexis Academic
* Restatements
* Court documents (Briefs, pleadings, motions) -- not available in LexisNexis Academic
* L.Ed annotations -- not available in LexisNexis Academic

In the sample report shown below, you will find:

1. "Restrict By" tool that lets you limit the types of citations included on the report, a count of the citations currently shown, and the headline starting with "Unrestricted Shepard's Summary" indicating that they are no restrictions to the citations shown in the current report.

2. Citation to the case being Shepardized, with Signal showing its status.

3. Alternate citations to the same case as it appears in other legal reporters.

4. The Shepard's Summary, showing the number of citations according to how their treatment of the case being Shepardized.

5. Links to LexisNexis headnotes, which expound the points of law involved in the case and its treatment

6. Prior History

7. Subsequent Appellate History (click on link to display)

8. Shepard's report of cases citing the case being Shepardized.

SHEPARD'S SUMMARY

Unrestricted Shepard's Summary

Subsequent appellate history contains negative analysis.

Citing References:
- Cautionary Analyses: Criticized (1), Distinguished (8)
- Positive Analyses: Followed (67)
- Neutral Analyses: Concurring Opinion (20), Dissenting Op. (99), Explained (23)
- Other Sources: Law Reviews (1340), Secondary Sources (21), Statutes (4), Treatises (18), Annotaions (8), Other Citations (4), Court Documents (157)

LexisNexis Headnotes: HN1 (46), HN2 (130), HN3 (31), HN4 (62), HN5 (103), HN6 (67), HN7 (350)

PRIOR HISTORY (13 citing references) Hide Prior History

2. Vacated by:
3. On remand at:
CITING DECISIONS (950 citing decisions)

U.S. SUPREME COURT

24. Cited in Concurring Opinion at; Cited in Dissenting Opinion at; Cited by:

   Cited in Concurring Opinion at:
   127 S. Ct. 2738 p.2769
   168 L. Ed. 2d 508 p.542

   Cited in Dissenting Opinion at:
   127 S. Ct. 2738 p.2797
   168 L. Ed. 2d 508 p.572

   Cited by:
   127 S. Ct. 2738 p.2765
   168 L. Ed. 2d 508 p.538

25. Cited in Dissenting Opinion at:

   545 U.S. 677 p.792
   125 S. Ct. 2854 p.2888

Shepard's Signals
The Shepard's Signal Marker indicates the standing of your case as treated by other cases.

<table>
<thead>
<tr>
<th>Signal</th>
<th>Description</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Warning</td>
<td>Negative treatment indicated. Includes the following analyses:</td>
<td>Overruled by, Superceded by, Revoked, Obsolete, Rescinded</td>
</tr>
<tr>
<td>Questioned</td>
<td>Validity questioned by citing references. Includes the following analyses:</td>
<td>Questioned by</td>
</tr>
<tr>
<td>Caution</td>
<td>Possible negative treatment indicated. Includes the following analyses:</td>
<td>Limited, Criticized by, Clarified, Modified, Corrected</td>
</tr>
<tr>
<td>Positive</td>
<td>Positive treatment indicated.</td>
<td>Followed, Affirmed, Approved</td>
</tr>
</tbody>
</table>

Citing References with Analysis
- Appeal denied by
- Writ of certiorari denied

References have not applied any analysis to the citation. For example the case was cited by case law or law reviews that do not warrant an analysis. Includes the analysis:
- Cited by.