**Lexis and Westlaw for Finding Forms  
Professor Mika’s Transactional Drafting Class Feb. 6, 2012**

**URL for handout - https://www.law.csuohio.edu/lawlibrary/ehandout/mika/wexisdrafting**

**Problem:  Find a commercial lease with an option to purchase for Ohio**

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| **WestlawNext**  **Search One:**  Go to the Ohio Real Property **Formfinder**:   * In the Browse Widget, click on Forms. * Select Ohio, Real Property   Type in: commercial lease with purchase option   * Filter by Ohio (we get both Ohio and National forms) * Filter by Search within Results: option /3 purchase or buy   Which hit number is an option to purchase form?: \_\_ Hits 3, 5 and 8, 11 are options to purchase - will need to find a form for a commercial lease to tack these onto.  **Checklists:** Look at the Filters on the Left. Note that the results include Checklists, Forms and Clauses. Check Checklists, and Apply the Filter. Note that the first 4 hits are checklists. Click on one to get an idea of what is in a checklist.  (Return to List and Undo Filters)  **Statutes:** Look at the Filters on the Left. Note that WestlawNext also searches statutes, because statutes sometimes contain form language.  Apply the statutes filter and look at the results you get. |

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| **Search Two:** **Advanced Search with Title Field (WestlawNext)**  Searching just the title of a form can be useful to pinpoint the form you want, not just a document that includes your search terms somewhere in the text.  **Problem: Find a lease with an option to purchase for Ohio**  Go back to the Ohio Real Property Formfinder  **Learn About:** On the right hand side –contains background information on topics, such as Leases. Does the Learn About for Leases tell you who is the lessor and who is the lessee?\_\_\_\_\_\_\_\_yes\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Click on **Advanced Search**   * In the Title field type: lease and purchase and option & run the search (Preliminary field also available – headings and name of publication) * Then, Filter by Text forms   List a few hits which are leases with options to purchase? \_Hits 9 and 10  Can also use field searches in the search boxes, eg. TI,PR( lease and purchase and option) in the original search or Search within Results. |
| **Find a Specific Formbook on WestlawNext:**  **Find Merrick Rippner Ohio Probate Law**  Method One: Formbooks listed at bottom of form finder (does not help in this case)  Method Two: Type the name of the formbook into the all in one search box. Need to have the exact title of the book.  Method Three: Browse widget and drill down.  Eg. State Materials>Ohio>All Ohio Secondary Sources> Baldwin’s Ohio Practice Series> Merrick Rippner Probate Law [OHPRAC-PROB](http://www.westlaw.com/search/default.wl?db=OHPRAC-PROB%C2%A0&Action=search&RS=WWMH1.0&VR=2.0) |

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| **Classic Westlaw**  **Finding Specific Formbooks**  Use the Directory OR tabs (such as the Ohio Tab) OR Search for a Database box. Remember that the tabs do not list everything but the directory does.  You do not need to know the specific name of the book/database when using Search for a Database box.  Example: Search for Ohio Real Property Forms  It returns:  [Ohio Real Property Forms, Clauses, and Checklists](http://web2.westlaw.com/search/result.aspx?tc=1&rp=%2fsearch%2fdefault.wl&sv=Split&rs=WLW11.07&db=OH-RPFORM&tf=755&fn=_top&mt=374&vr=2.0)  [Real Property Law FormFinder - Ohio (FF-RP-OH)](http://web2.westlaw.com/search/result.aspx?tc=1&rp=%2fsearch%2fdefault.wl&sv=Split&rs=WLW11.07&db=FF-RP-OH&tf=755&fn=_top&mt=374&vr=2.0)  What is the difference? Click on the I for information  The Formfinder contains pdf fillable forms, and it costs more. Both have the search template to select topics and subtopics. |

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| **Formfinders**  [FORMFINDER](http://web2.westlaw.com/search/default.wl?rs=WLW9.08&ifm=NotSet&fn=_top&sv=Split&db=FORMFINDER&vr=2.0&rp=/search/default.wl&mt=Westlaw) - Directory>Forms>Formfinder.  Or just use Search for a Database box and search for Formfinder.  [OH-FORMFINDER](http://lawschool.westlaw.com/shared/westlawRedirect.asp?url=http%3A%2F%2Fwww%2Ewestlaw%2Ecom%2Fsearch%2Fdefault%2Ewl%3Fdb%3DOH%2DFORMFINDER%26Action%3Dsearch%26RS%3DITK3%2E0%26VR%3D1%2E0&appflag=87.9) - In the Ohio tab, under Ohio Forms and KeyRules.  Or just use Search for a Database box.  **Using Ohio Formfinder,** **Find a lease with an option to purchase for Ohio**  Which Topic? \_\_\_\_\_Real Estate\_\_\_\_\_\_\_\_\_\_\_  Which Subtopic?\_\_\_\_\_Leases\_ (but maybe Purchase or leave Blank)  Search terms –option /3 purchase or buy   * We get both Ohio and National formbooks. * If we really want forms specific to Ohio, click on Text Forms – State Specific   **Field Searching for Title:** Can use field searching for title and preliminary, the same as in WestlawNext.   * Click on Edit Search. * Select Terms and Connectors * Field pull down menu - field for form FO() limits to the text of the form itself, excluding discussion before or after the form and excluding footnotes.   **Real Estate Practitioner Tab (Classic Westlaw)**  Click on Add a Tab in the Upper Right, Add Westlaw Tabs and add the Real Estate Practitioner tab.  Model Documents: Search transactional documents included as exhibits to SEC filings. Try a search for: option and purchase, document type=lease  Quick links to Formfinders specific to Real Property, such as  [Ohio Real Property Forms, Checklists & Clauses](http://web2.westlaw.com/search/default.wl?rs=WLW11.07&rp=%2fsearch%2fdefault.wl&vr=2.0&fn=_top&mt=374&sv=Split&db=FF-RP-OH) |

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| **Browsing Using Site Map/Table of Contents to find forms (Classic Westlaw)**  If you want to pick a specific form book and browse the table of contents, this can be a good way to do it. A cost saving method, as you are not charged until you click on a document.  Click on **Site Map** in the top Blue Bar  Click on **Table of Contents** in the right hand column under Find a Document  Pick State Secondary Sources and Forms  Pick Ohio  Lists all the Ohio Formbooks  Pick Ohio Forms and Transactions  Click on Real Property  Click on Leases section  Can you find an additional /alternate clause for a parking facility? What section number of Ohio Forms and Transactions is it? \_18:10 (H)\_\_ |

**SUGGESTION:** Even when you find forms using a Formfinder, it may be a good idea to go the book (database) that form is in and look at the table of contents and the surrounding sections.

**Forms-all databases (Westlaw)**

Forms-All – searches all forms, does not have a template like the formfinder. Costs less money.

**LEXIS**

**New problem:** Find a form for an Ohio Will with a clause saying that the beneficiary forfeits the gift if beneficiary brings a will contest.

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| **All forms Databases, Form Databases for Jurisdictions and Topics**  These **compile many form sets** together and have a handy **outline** to drill down and find forms.  From the Legal Tab, Secondary Legal>Forms and Agreements  Can pick All Transactional Forms, All Litigation Forms, By Area of Law, or Jurisdiction  Pick Jurisdiction>Ohio OR By Area of Law> Estates, Gifts and Trusts  Pick Ohio Transactions LexisNexis Forms   * From there click on Estates, Gifts and Trust Law * Can you find a No contest Clause? What is the form number? **FORM 538-66.236**   As far as the will itself – Wills – there is a sample will under Estates, Gifts and Trust Law>Wills>. More examples under Estates, Gifts and Trust Law>Wills>Bequests and Devises> eg. Form – Will for Married Client  Or could just do a search – Estate, Gift and Trust Law>Wills search for married client or unmarried client to get some general examples. |

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| **Field Searches –** For the above compiled form sets databases there are limited choice of fields – click on advanced to see the fields available.  If you use a specific form set you can search the HEADING field, similar to title field in Westlaw. |

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| **Finding a specific form set**  **Problem: Find an Ohio form for a codicil dealing with after-acquired property**  **Browse**– Ohio Tab>Search Analysis & CLE Materials>Estate Planning and Probate>  Ohio Transaction Guide - Estate Planning Law and Forms  Look at Table of Contents or do a search  Other useful databases for wills in Ohio:   * Anderson's Ohio Elder Law Practice Manual * Couse’s * Ohio Estate Planning Checklists   **The Simple Will in Ohio** / LexisNexis, Annual. [KFO 144 .A15 S57](http://scholar.csuohio.edu/record=b1863771) (not online, but useful)  Can also use **Find a Source**  Type in: wills and forms and ohio |

**Findforms Box on the Right Side:**

**Search> Legal**

Select Deal type, type of form and jurisdiction.

Find a form for a will with a no-contest provision. Is the Findforms box helpful in this instance? (NO)

**Deal Type = Lease – Real Estate  
Type of Form = Option to Purchase  
Jurisdiction = Ohio**

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| **Total Litigator and Transactional Advisor**  **Transactional Advisor**  More (at the top)>Transactional Advisor>  Real Estate>Create and Draft Documents>  Real Estate Leases>  Complete Leases  Sample Provisions for Options to Renew, Purchase, Expand  Lease Clauses – eg. Repair and maintenance, search within for residential lease  Precedent Search – searches documents filed with the SEC  **Total Litigator**  More>Total Litigator>Drafting Resources  Find a complaint to cancel a lease in Ohio  What is the form number? \_\_\_\_87.07\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

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| **LexisAdvance**  **Example One: Find a commercial lease with an option to purchase for Ohio**  **Prefilters** for Content type, jurisdiction and practice area  **Type in search:** lease and option w/5 purchase (note slightly different search syntax, although not in this particular search)  **Postfilters:**  Form Type (lease, notice, option)  Source (specific formbook)  Search within Results  **Example Two: Find a form for an Ohio Will with a clause saying that the beneficiary forfeits the gift if beneficiary brings a will contest.**  will and "no contest" ( in terrorem clause) |