**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 FormsIt 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 informationThe 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=leaseQuick 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 BarClick on **Table of Contents** in the right hand column under Find a DocumentPick State Secondary Sources and FormsPick OhioLists all the Ohio FormbooksPick Ohio Forms and TransactionsClick on Real PropertyClick 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 AgreementsCan pick All Transactional Forms, All Litigation Forms, By Area of Law, or JurisdictionPick Jurisdiction>Ohio OR By Area of Law> Estates, Gifts and TrustsPick 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 ClientOr 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 FormsLook at Table of Contents or do a searchOther 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%3Db1863771) (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, ExpandLease Clauses – eg. Repair and maintenance, search within for residential leasePrecedent Search – searches documents filed with the SEC**Total Litigator**More>Total Litigator>Drafting ResourcesFind a complaint to cancel a lease in OhioWhat 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) |