



DRAFTING ASSISTANT ESSENTIAL USER GUIDE

APRIL 2018



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About Drafting Assistant Essential

The Thomson Reuters Drafting Assistant Essential suite of productivity tools provide easy access to information, research, authority, and tools to help you draft legal documents. With Drafting Assistant Essential, you can produce your best work and shave hours off the drafting process – right from your word processor. With Drafting Assistant, you can:

- Insert **KeyCite** flags for easy review and citation verification using the **Flags & Links** and **WestCheck** tools (see "About Flags & Links" on page 16 and "About WestCheck" on page 21 for more information).
- Ensure correct citation formatting using **The Bluebook**, **ALWD**, or other jurisdiction-specific rules, with the **Cite Formatting** tool (see "About Cite Formatting" on page 5 for more information).
- Insert a table of authorities into your documents with the **TOA Builder** tool (see "About TOA Builder" on page 9 for more information).
- Check the status of your citations in KeyCite using **WestCheck** (see "Checking Citations" on page 24 for more information).
- Create a Cited Decisions list of cases cited by your case in **WestCheck** (see "Creating a Citations List" on page 26 for more information).
- Use WestCheck to access **QuoteRight** to verify the accuracy of quotations in your documents (see "Verifying Quotations with QuoteRight" on page 29 for more information).

Save hours of drafting time and speed up the review process with every brief, memorandum, or other legal document you draft. For detailed instruction on working with the Drafting Assistant tools, see:

- "About Cite Formatting" on page 5
- "About TOA Builder" on page 9
- "About Flags & Links" on page 16
- "About WestCheck" on page 21
- "About Deal Proof" on page 34

Once you launch Drafting Assistant, you can upload a .doc, .docx, .rtf, or PDF document. The tools available to you under your subscription will display in the left pane alongside your document. When uploading a PDF, Drafting Assistant will convert the document into a searchable text file for use with Drafting Assistant Essential website. Once processing is complete, the downloaded document will be in Word format. You will not be able to convert the document back to PDF format after you have converted it to a Word document.

The screenshot shows the Drafting Assistant interface. At the top, there is a header bar with "DRAFTING ASSISTANT" on the left, a user profile icon in the center, and "Help" on the right. Below the header is a sidebar on the left containing several tool options: "Cite Formatting", "TOA Builder", "Flags & Links", "WestCheck", and "Deal Proof". At the bottom of the sidebar, there is a "+ Upload New Document" button and a "Completed Processing Document?" section with a "Download document" link. The main area of the interface displays a document titled "ARGUMENT". The text of the document reads: "The officer-affiant had a sufficient basis to believe that the informant was 'credible' or his information 'reliable.' Republic of China v. Chang, 134 Cal.App.2d 124, 285 P.2d 351 (Cal. Ct. App. 1955). These Petitions are not, and could not reasonably be considered. They are not artfully drafted petitions for writs of mandamus that would order the district court to grant intervention for purposes of appeal. Mandamus is an "extraordinary remedy, to be reserved for extraordinary situations," and this Court is "particularly disinclined to issue the writ before the district court has acted." There is even less justification to require a more formal announcement of purpose to one who, by his actions, shows he knows the reason for the visit and intends forcibly to prevent entry. Where split-second action is necessary, the law does not require an extended exposition of the obvious. Id. at 125".

About Cite Formatting

The Cite Formatting tool checks citations in your legal document and suggests the correct citation format. Use the Cite Formatting tool to:

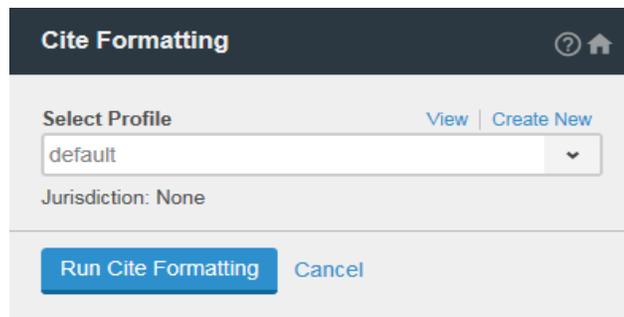
- Identify legal citations (cases, statutes, court rules, regulations, constitutions, administrative decisions, and journal and law review articles) in your document.
- Suggest citations from *The Bluebook: A Uniform System of Citation*, the *ALWD Citation Manual*, or a citation style specific to a state.
- Apply correct formatting directly to your document while giving you complete control over which citation changes to make.

Working with Profiles in Cite Formatting

If you are a new user, it is recommended that you define presets for common use cases using the **Profile** options. Profiles allow you to select, save, and reuse options you use frequently. Each time you access the Cite Formatting tool, you are provided with options to select an existing profile, view/edit profile settings for a selected profile, and create a new profile.

CREATING NEW CITE FORMATTING PROFILES

1. Click the **Cite Formatting** tool on the left side of your document.
2. Click **Create New**.



The screenshot shows the 'Cite Formatting' tool interface. At the top, there is a dark header with the text 'Cite Formatting' and a home icon. Below the header, there is a section titled 'Select Profile' with a dropdown menu currently showing 'default'. To the right of the dropdown are links for 'View' and 'Create New'. Below the dropdown, it says 'Jurisdiction: None'. At the bottom of the panel, there are two buttons: 'Run Cite Formatting' and 'Cancel'.

3. Type a name for the new profile in the **Profile Name** box (e.g. Underlined Citations).
4. Select a **Jurisdiction** from the list.
5. Select the **Rules for Citation** from the list.
6. Select a set of desired **Citation Styles** from the list (**Legal Briefs** or **Law Reviews**).
7. Select the content categories you would like to include in your citations list.
8. Select the **Formatting Preferences** you wish to apply to the citations. Options include:
 - **Underline appropriate citation elements.**
 - **Italicize appropriate citation elements.**
 - **Include Subsequent History.**
9. Select to include **Ids, Ibids, Supras, and Case Title only short forms** if desired.
10. Select an option to work with **Parallel Citations**:
 - **Allow West Cite Advisor to suggest which citations to include.**
 - **Include only one citation per authority cited.** If you select this option, you can choose whether to **Cite to the official reporter if possible** or to **Cite to West's National Reporter system if possible.**
 - **Include Citations to all available reporters.**
11. Select an option to apply to Statutes:
 - **Use the publication validated by Drafting Assistant.**
 - **Use the official statute publication (e.g. U.S.C.).**

12. Click **Save**.

The screenshot shows the 'Cite Formatting' tool interface. At the top, there is a dark header with the title 'Cite Formatting', a 'OUT OF PLAN' indicator, and help/home icons. Below the header, the settings are organized into several sections: 'Profile Name' with a text input field containing 'Profile'; 'Select Jurisdiction' with a dropdown menu set to 'None'; 'Rules for Citation' with a dropdown menu set to 'Bluebook'; 'Citation Styles' with a dropdown menu set to 'Legal Briefs'; 'Select Content Categories' with a list of checkboxes, all of which are checked (Cases, Statutes, Regulations, Court Rules and Orders, Administrative Reports and Decisions, Secondary Sources, Other Authorities); 'Formatting Preferences' with checkboxes for 'Underline appropriate citation elements' (checked), 'Italicize appropriate citation elements' (unchecked), and 'Include Subsequent History' (checked); 'Citation Type' with a checked checkbox for 'Ids, Iblids, Supras and Case Title only short forms'; and 'Parallel Citations' which is currently empty. At the bottom of the panel are 'Save' and 'Cancel' buttons.

13. Utilize the new saved profile in the Cite Formatting tool by selecting it from the **Select Profile** list, then clicking **Run Cite Formatting**. For detailed information on checking citation formatting, see "Working with Cite Formatting" on page 7.

VIEWING, EDITING, AND DELETING CITE FORMATTING PROFILE SETTINGS

To edit the settings for a Cite Formatting profile:

1. Click the **Cite Formatting** tool on the left side of your document.
2. Select the profile you want to view or edit from the **Select Profile** list.
3. Click **Edit**. Note, the default profile can be viewed but not edited.

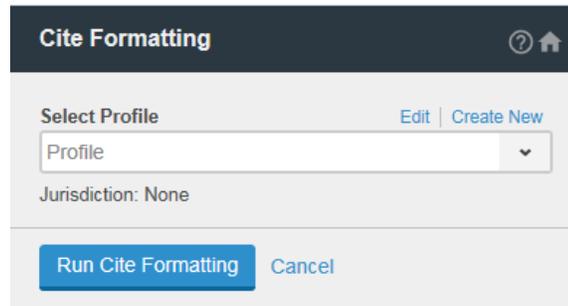
The screenshot shows the 'Cite Formatting' tool's 'Select Profile' dialog. The title bar reads 'Cite Formatting' with help and home icons. The main area features a 'Select Profile' dropdown menu with 'Profile' selected, and 'Edit' and 'Create New' links to the right. Below this, the 'Jurisdiction' is set to 'None'. At the bottom, there are 'Run Cite Formatting' and 'Cancel' buttons.

4. Edit the settings as desired and click **Save**. To delete the profile, click **Delete Profile** at the bottom of the left pane. Click **Continue** to confirm.

Working with Cite Formatting

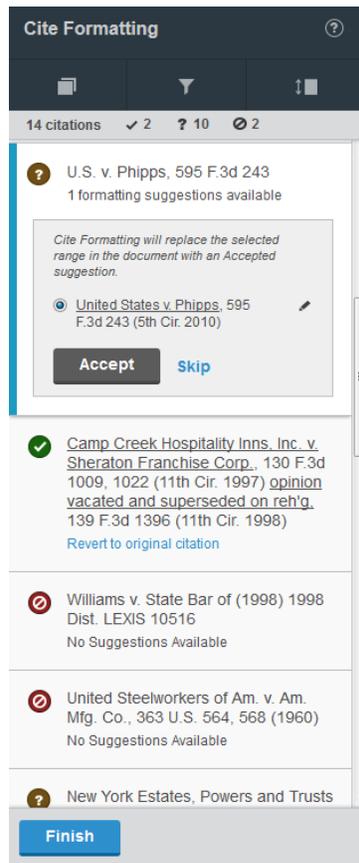
Check citations in your legal document, view suggestions for the correct citation format, and make formatting changes using the Cite Formatting tool.

1. If you are a new user, it is recommended that you define presets for common use cases using the **Profile** options. Profiles allow you to select, save, and reuse options you use frequently. For more information, see "Working with Profiles in Cite Formatting" on page 5. Click the **Cite Formatting** tool on the left side of your document.
2. Click **Run Cite Formatting**.

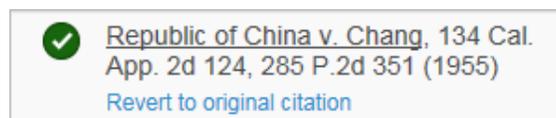


3. Each citation displays in a list in the left pane and the citations status is displayed at the top of the Cite Formatting tool. Citation formats are marked as:
 -  Suggestion matches the document text or a suggestion has been accepted.
 -  No suggestions are available.
 -  Multiple suggestions available. Choose a suggestion and click **Accept**.
5. Optionally, click the **Group By**  button at the top of the citations list to group citations by **Citation Status** or **All instances of a Citation**. You can also click the **Group By** button and select **Restore Default View** to return to the default view.
6. Optionally, click the **Filter** button  at the top of the citations list to filter by content type, citation format, and citation type. Select the options you wish to view, then click **Apply**.
7. Optionally, click the **Collapse/Expand All Suggestions** button  to display or hide all of the suggestions for each citation.

8. Citations with formatting suggestions offer options for formatting. Select an option and click **Accept**. The status of the citation formatting displayed at the top of the Cite Formatting tool updates.



9. Optionally, you can revert to the original citation formatting after accepting a suggestion by clicking **Revert to original citation**.



10. Once you complete formatting your citations, click **Finish** to exit the tool.

About TOA Builder

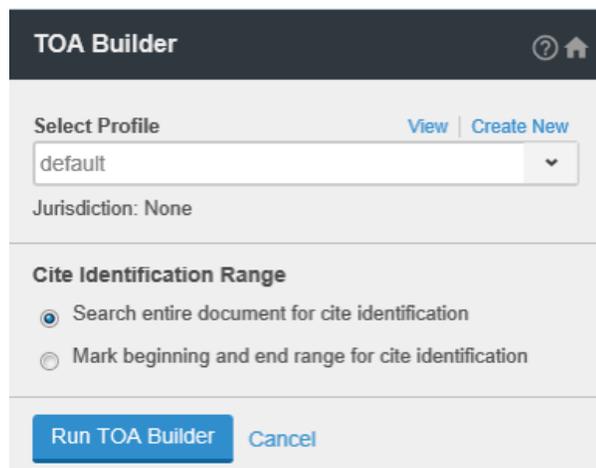
Use the TOA Builder tool to build a properly formatted list of references (known as a Table of Authorities or TOA) in your legal document. The TOA is inserted where your cursor is positioned in the document at the time you run the tool and includes section headings for all content categories that are enabled when the profile settings are configured (see "Working with Profiles in TOA Builder" on page 9 for more information). It is considered best practice to use the TOA Builder tool in tandem with the Cite Formatting tool. Using both of these tools ensures that only valid citations are included in the table of authorities, and that those included are formatted correctly.

Working with Profiles in TOA Builder

If you are a new user, it is recommended that you define presets for common use cases using the **Profile** options. Profiles allow you to select, save, and reuse options you use frequently. Each time you access the TOA Builder tool, you are provided with options to select an existing profile, view/edit profile settings for a selected profile, and create a new profile.

CREATING NEW TOA BUILDER PROFILES

1. Click the **TOA Builder** tool on the left side of your document.
2. Click **Create New**.



3. Type a name for the new profile in the **Profile Name** box (e.g. Combined Federal and State).
4. Select a **Jurisdiction** from the list.
5. Select the content categories you would like to include in your citations list.
6. Select the **Formatting** preferences you wish to apply to the headings in the TOA. Options include font type, size, and style (**Bold**, **Italic**, Underline).
 - You can also select the check box to **Add Page(s) label above page numbers**.
7. Select an option to work with **Citations in TOA**:
 - **Match font and font size from citation in the document**.
 - **Apply Special Formatting**. If you select this option, you can choose a font type and size to apply to the citations.
8. Select an **Underline and Italicize** option for the citations in the TOA:
 - **Use underlining and italics that are applied to the cites in the text of the document**.
 - **Apply Special Formatting**. If you select this option, you can choose to **Underline Title**, **Italicize Title**, or both.
9. Select one or more of the following options:
 - **Case name on separate line**: Print each case name on a separate line.
 - **Include subsequent history from text**: Include history in citations in the table of authorities.

- **Use Passim for Frequently Cited Sources:** Use passim rather than citing specific pages.
 - **Combine Federal and State categories:** Combine federal and state citations in each table of authorities category. For example, if this option is selected, federal and state citations are listed together under Cases. If this option is not selected, cases are listed under Federal Cases and State Cases separately.
 - **Display comma delimiter after case title:** Add or remove the comma delimiter after case titles.
10. Select a **Tab Leader** from the list provided (a tab leader is a row of dots or lines that connect the TOA text to the page number).
 11. Select a **TOA Spacing** option (Single or Double) from the list provided. This setting only applies to citations in the TOA. Headings are always double-spaced.
 12. Click **Save**.

13. Utilize the new saved profile in the TOA Builder tool by selecting it from the **Select Profile** list, then clicking **Run TOA Builder**. For detailed information on inserting a TOA into your document, see "Working with TOA Builder" on page 11.

VIEWING, EDITING, AND DELETING TOA BUILDER PROFILE SETTINGS

1. Click the **TOA Builder** tool on the left side of your document.
2. Select the Profile you want to view or edit from the **Select Profile** list.
3. Click **Edit**. The default profile can be viewed but not edited.

4. Edit the settings as desired and click **Save**. To delete the profile, click **Delete Profile** at the bottom of the left pane. Click **Continue** to confirm.

Working with TOA Builder

The Table of Authorities (TOA) Builder inserts a properly formatted list of references in your legal document.

BUILDING A TABLE OF AUTHORITIES

1. If you are a new user, it is recommended that you define presets for common use cases using the **Profile** options. Profiles allow you to select, save, and reuse options you use frequently. See "Working with Profiles in TOA Builder" on page 9 for more information.
2. Under Cite Identification Range, complete one of the following:
 - Select **Search entire document for cite identification** to search the entire document for cite identification.

- Select **Mark beginning and end range for cite identification** to restrict the search to only part of the document. Place the cursor in the document at the beginning of the desired range and click the **Set start position** button. Place the cursor at the end of the desired range and click the **Set end position** button. You can also change the range by clicking either the **Update start position** or **Update end position** buttons.

TOA Builder ? 🏠

Select Profile [Edit](#) | [Create New](#)

Test6707932 ▼

Jurisdiction: None

Cite Identification Range

Search entire document for cite identification

Mark beginning and end range for cite identification

Please select the start and end positions of the document to be scanned for citations

Set start position

Set end position

Run TOA Builder

Cancel

4. Click **Run TOA Builder**. All authorities found in the document will display in the left pane.
5. Optionally, click the **Hide/Show All Instances** button (📄) to display or hide additional instances of citations.
6. To quickly locate a citation in your document, select it from the citations list in the left pane. The document view scrolls to the location of the citation and the citation is highlighted in your document.
7. Select individual check boxes, content category check boxes, or the **Select All** check box to select the citations you want to include in the TOA.

File Edit View Favorites Tools Help

DRAFTING ASSISTANT

TOA Builder

Select All Clear All

Al-Zubaidy v. TEK Indus., Inc., 406 F.3d 1030 (8th Cir. 2005)

Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 106 S. Ct. 2595, 91 L. Ed. 2d 202 (1986)

Anderson, 477 U.S.

Brooks v. Ameren UE, 345 F.3d 986 (8th Cir. 2003)

Celotex Corp. v. Catrett, 477 U.S. 317, 106 S. Ct. 2548, 91 L. Ed. 2d 265 (1986)

Celotex Corp. v. Catrett, 477 U.S. 317, 106 S. Ct. 2548, 91 L. Ed. 2d 265 (1986)

Celotex Corp., 477 U.S.

Insert TOA
Cancel

this point, the burden of production shifts to DC Corporation to articulate a legitimate, nondiscriminatory reason for discharging Bower. *Id.* If DC Corporation articulates such a reason, the presumption of discrimination disappears, and Bower must prove the proffered reason for the discharge was merely a pretext for intentional discrimination. *Id.* Bower never loses the ultimate burden of proving DC Corporation intentionally discriminated against him. See *Al-Zubaidy v. TEK Indus., Inc.*, 406 F.3d 1030 (8th Cir. 2005).

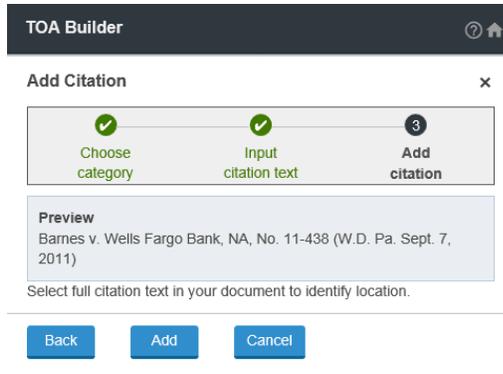
Bower applied for three promotional positions in three different departments in the year before he filed a charge with the EEOC. DC Corporation does not agree that Bower was qualified for all of the positions that he sought, and thus does not concede that Ail has established a prima facie case of discriminatory failure to promote. However, rather than belabor the issue of minimal qualifications, DC Corporation offers legitimate nondiscriminatory business reasons for not promoting Bower on each of the three occasions occurring in the relevant time period where he applied for a posted position. DC Corporation selected better candidates for the positions. In Delaware Chancery Court proceedings every "subpoena shall (a) state the name of the court; (b) state the title of the action and it's civil number; (c) command each person to whom it is directed to attend and give testimony or to produce...electronically stored information...at a time and place therein specified..." Del. Ch. Ct. R. 45.

Having provided legitimate, nondiscriminatory business reasons for not selecting Bower for the posted positions that he sought, the burden shifts to Bower to prove that those reasons are false, and that the articulated reasons are a pretext for discrimination. *St. Mary's Honor*

8. Click the **Plus** (+) button to manually add a citation. Then, complete the following:
- **Choose category:** Select the citation category and jurisdiction for the citation. Click **Next**.

- **Input citation text:** Enter the **Title** and **Reporter String** in the appropriate fields. Confirm the citation is correct in the Preview window and then click **Next**.

- **Add citation:** Highlight the full citation in the document and then click **Add**. The citation will be added to the list.
Note You can also highlight the citation in your document before you click the **Plus** icon. Appropriate fields will be autopopulated based on your highlights and you can edit as appropriate.
Note After you add a manual citation to the list, the list will re-alphabetize itself. If you plan to relocate a citation out of alphabetical order, be sure to add all necessary manual citations before you manually move citations to the desired locations.

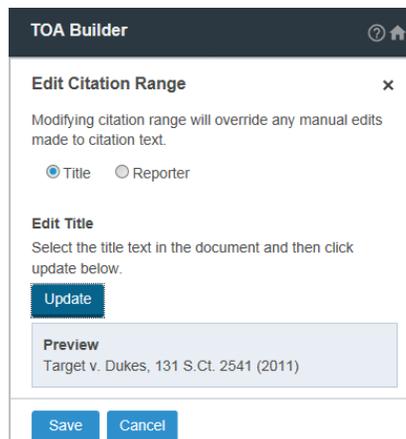


9. When selecting a citation in the list, you have the following options:

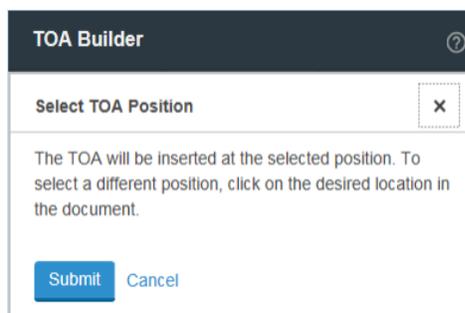
- Click the **Edit Text** (✎) button to edit the citation. Edit the title or reporter string as appropriate, confirm the citation is correct in the Preview, and click **Save**.



- Click the **Move Up** (↑) or **Move Down** (↓) button to move it up or down in the list. You can also drag and drop citations to any other part of the list.
- Click the **Make Primary** (⇧) button to change a secondary citation into a primary one in the list. Click the **Make Secondary** or **Make Instance** (⇩) button to change the citation to a secondary citation of the citation immediately above it in the list.
- Click the **Edit Range** (↔) button to change the range of the cite in the document. Select to change the **Title** or **Reporter** as appropriate, highlight the complete title or reporter string in the document, confirm its correctness in the Preview, click the **Update** button, and then click **Save**.

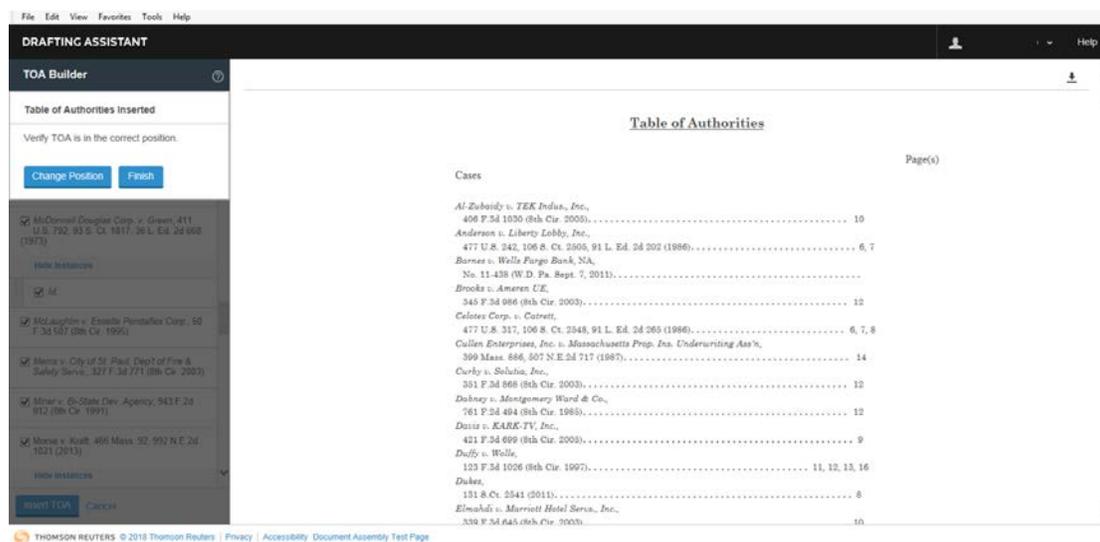


10. Click **Insert TOA**.
11. Click in the document to select a position in the document to insert your TOA, then click **Submit**.
12. Verify the TOA is in the correct position. Click **Change Position**, if needed. Click **Finish**.



13. A message verifying the TOA has been inserted displays. Click X to close.

The table of authorities is inserted in your document at the cursor location. The table of authorities includes the following headings, dependent on the selected Profile settings: Cases, Federal Cases, State Cases, Statutes, Federal Statutes, State Statutes, Rules, Federal Rules, State Rules, Regulations, Federal Regulations, State Regulations, and Other Authorities.



About Flags & Links

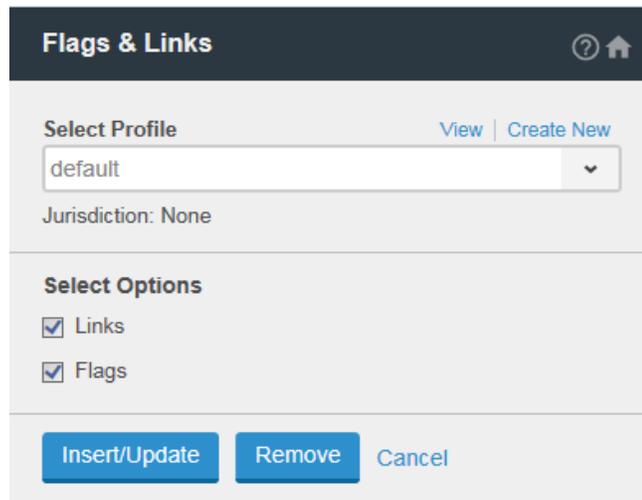
The Flags & Links tool allows you to view the status of cited cases, statutes, court rules, regulations, and administrative decisions in your document. Flags and links are applied to all standard long and short form citations, but you have the option to include *Ids*, *Supras*, *Ibids*, or to include case titles only in short form. Use the Flags & Links tool to link to full-text documents on Westlaw.

Working with Profiles in Flags and Links

If you are a new user, it is recommended that you define presets for common use cases using the **Profile** options. Profiles allow you to select, save, and reuse options you use frequently. Each time you access the Flags & Links tool, you are provided with options to select an existing profile, view/edit profile settings for a selected profile, and create a new profile.

CREATING NEW FLAGS & LINKS PROFILES

1. Click the **Flags & Links** tool on the side of your document.
2. Click **Create New**.



3. Type a name for the new profile in the **Profile Name** box (e.g. Secondary Source Flags).
4. Select a **Jurisdiction** from the list.
5. Select the content categories you would like to include.
6. Select to **Include Ids, Supras, Ibids** if desired.
7. Select to **Include case titles only short form** if desired. Note that Flags & Links will be applied to all standard long and short form citations.
8. If you would like to share a document with links to Westlaw with others who do not have access to documents on Westlaw, select **Pooled Authentication**. This will allow the other users access to the links on Westlaw using you as a sponsor. Otherwise, select **Do Not Apply Authentication Settings**.

9. Click **Save**.

The screenshot shows the 'Flags & Links' settings dialog box. It has a dark header with the title 'Flags & Links' and a home icon. Below the header, there are several sections: 'Profile Name' with a text input field containing 'Profile'; 'Select Jurisdiction' with a dropdown menu set to 'None'; 'Select Content to Insert Flags & Links' with a sub-header and a note: 'Flags & Links will be applied to the following content selections:'. Under this section, there are checkboxes for 'Content Type': Cases (checked), Statutes (unchecked), Regulations (checked), Court Rules and Orders (checked), Administrative Reports and Decisions (checked), Secondary Sources (checked), and Other Authorities (checked). Below that is 'Citation Type' with checkboxes for 'Include Iids, Supras, Ibids' (checked) and 'Include case titles only short form' (checked). A note follows: 'Note: Flags & Links will be applied to all standard long and short form citations'. There is also a checkbox 'Keep the underlining in my document as it currently is.' (checked). The final section is 'Authentication Settings for Sponsorship' with a note: 'Choose authentication settings you would like to use for'. At the bottom, there are 'Save' and 'Cancel' buttons.

10. Utilize the new saved profile in the Flags & Links tool by selecting it from the **Select Profile** list, then clicking **Insert/Update**. For detailed information inserting Flags & Links, see "Working with Flags and Links" on page 18.

VIEWING, EDITING, AND DELETING FLAGS & LINKS PROFILE SETTINGS

To edit the settings for a Flags & Links profile:

1. Click the **Flags & Links** tool on the side of your document.
2. Select the profile you want to view or edit from the **Select Profile** list.
3. Click **Edit**. Note, the default profile can be viewed but not edited.

The screenshot shows the 'Flags & Links' settings dialog box in edit mode. It has a dark header with the title 'Flags & Links' and a home icon. Below the header, there are several sections: 'Select Profile' with a dropdown menu set to 'Profile' and links for 'Edit' and 'Create New'; 'Jurisdiction: None'; 'Select Options' with checkboxes for 'Links' (checked) and 'Flags' (checked). At the bottom, there are 'Insert/Update', 'Remove', and 'Cancel' buttons.

4. Edit the settings as desired and click **Save**. To delete the profile, click **Delete Profile** at the bottom of the left pane.

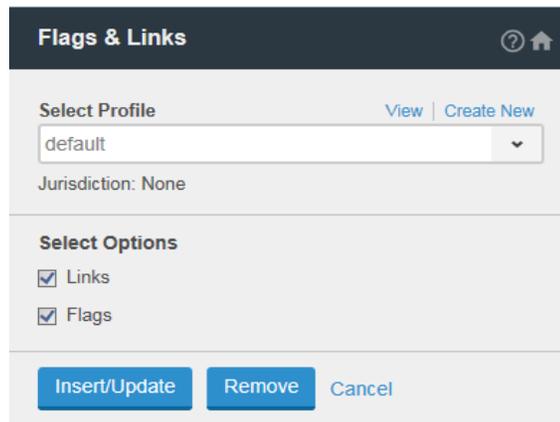
Working with Flags and Links

Insert, update, or remove KeyCite status flags and links from the citations in your document to the full-text documents on Westlaw.

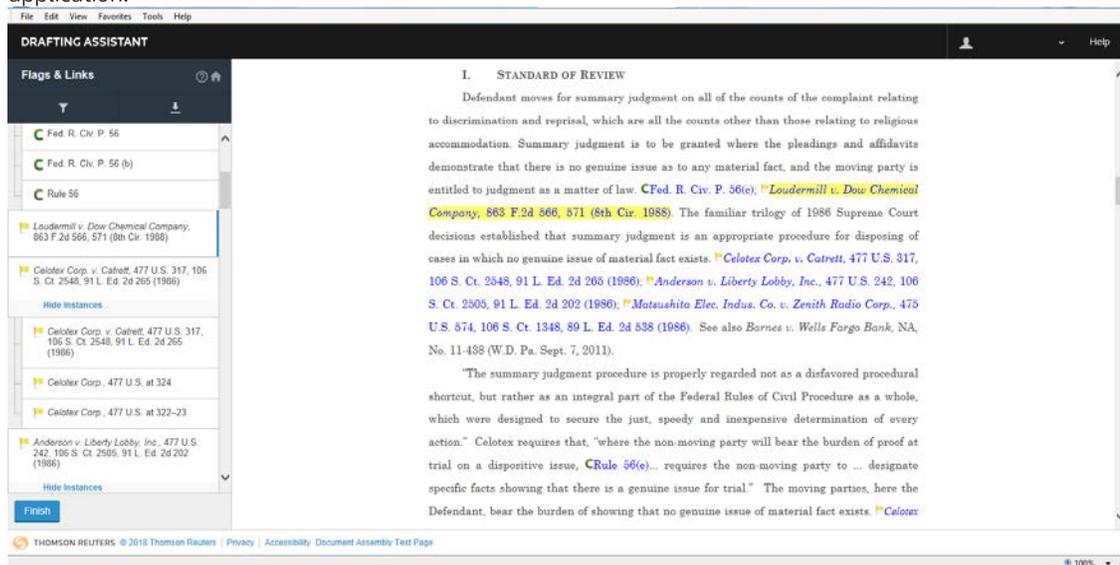
Note Some options may not be available in the Drafting Assistant Office Add-in application.

INSERTING AND UPDATING FLAGS AND LINKS

1. Click the **Flags & Links** tool on the side of your document.
2. If you are a new user, it is recommended that you define presets for common use cases using the **Profile** options. Profiles allow you to select, save, and reuse options you use frequently. For more information, see "Working with Profiles in Flags and Links" on page 16.
3. Select to insert **Links**, **Flags**, or both, then click **Insert/Update**.

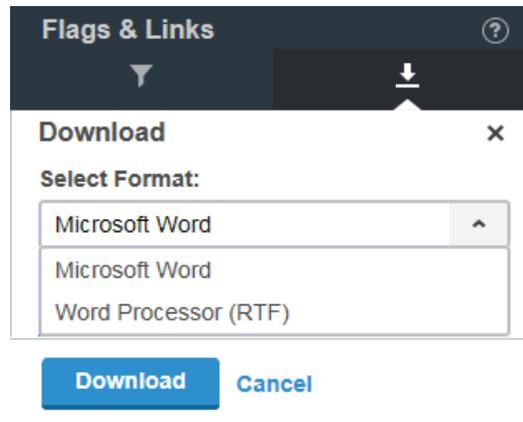


4. A list of KeyCite flags that have been added display. To quickly locate a citation in your document, select it from the list. The document view scrolls to the location of the citation and the citation is highlighted in your document. For more information, see "About KeyCite Status Flags" on page 25. This option is not available in the Drafting Assistant Office Add-in application.



5. You have the following options:
 - **Filter:** Filter the list of citations by flag type. Click the **Filter** button (🔍) at the top of the citations list, select the flags you wish to view, then click **Apply**.

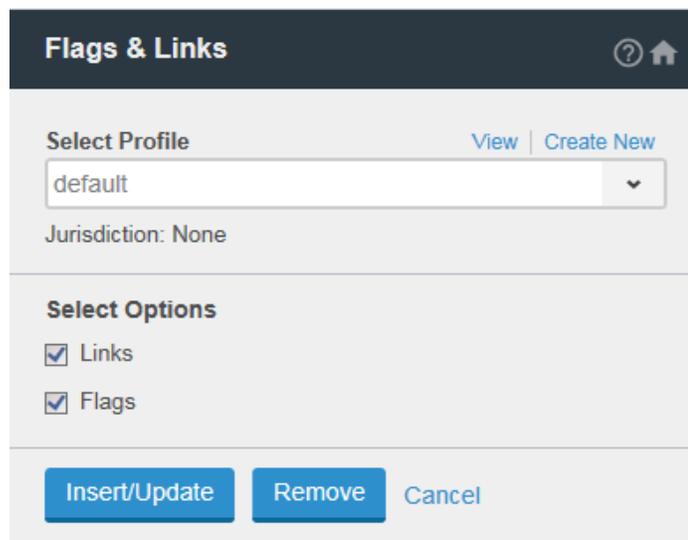
- **Download:** Download, print, and send the citations list. Click the **Download** button (📄) at the top of the citations list, select a format from the list provided, then click **Download**. Once downloaded, you can open and print the downloaded citations and you can send them to others via email. This option is not available in the Drafting Assistant Office Add-in application.



6. Click **Finish** to return to the Drafting Assistant list of available tools. A message displays indicating the number of citations that were processed. Click **X** to close the message.

REMOVING FLAGS AND LINKS

1. Click the **Flags & Links** tool on the side of your document.
2. If you are a new user, it is recommended that you define presets for common use cases using the **Profile** options. Profiles allow you to select, save, and reuse options you use frequently. For more information, see "Working with Profiles in Flags and Links" on page 16.
3. Select to remove **Links**, **Flags**, or both, then click **Remove**.



4. Confirm the selection of **Links**, **Flags**, or both. Click **Remove**.
5. A message displays indicating the number of links and flags removed from the document. Click **X** to close the message.

About KeyCite Status Flags

KeyCite is a citation research service which helps you determine whether your case, statute, administrative decision, or federal regulation is good law and find cases and other sources that cite it. A red, yellow, or blue striped flag; blue H; or green C indicates that KeyCite information is available for the associated document. A KeyCite status flag lets you know immediately the status of a case, statute, regulation, rule, or administrative decision.

Red Flag

In cases and administrative decisions, a red flag warns that the case or administrative decision is no longer good law for at least one of the points of law it contains.

In statutes and regulations, a red flag warns that the statute or regulation has been amended by a recent session law or rule, repealed, superseded, or held unconstitutional or preempted in whole or in part.

Yellow Flag

In cases and administrative decisions, a yellow flag warns that the case or administrative decision has some negative history, but has not been reversed or overruled.

In statutes and regulations, a yellow flag warns that the statute has been renumbered or transferred by a recent session law; that an uncodified session law or proposed legislation affecting the statute is available (statutes merely referenced, i.e., mentioned, are not marked with a yellow flag); that a proposed rule affecting the regulation is available; that the regulation has been reinstated, corrected, or confirmed; that the statute or regulation was limited on constitutional or preemption grounds or its validity was otherwise called into doubt; or that a prior version of the statute or regulation received negative judicial treatment.

Blue Striped Flag

A blue striped flag indicates a document has been appealed to the U.S. Courts of Appeals or the U.S. Supreme Court (excluding appeals originating from agencies).

Blue H

In cases and administrative decisions, a blue H indicates that the case or administrative decision has some history.

Green C

In cases and administrative decisions, a green C indicates that the case or administrative decision has citing references but no direct history or negative citing references. In statutes and regulations, a green C indicates that the statute or regulation has citing references.

Unverified Red U

Citations that are unverified or that contain potential errors display with an Unverified tag next to them.

Red M

The red M indicates that the case title provided in the document does not match the reporter citation that Drafting Assistant has validated. The validated reporter citation will display the Westlaw flag associated with that citation, if any. The red M flag will appear immediately in front of the potentially incorrect title. Additional revisions may be needed to ensure that the title cited is correct or if the reporter citation has been entered incorrectly.

About WestCheck

WestCheck is an automated citation-checking tool that verifies the status of citations in your legal document or in a citations list you create manually. Use the WestCheck tool to:

- Check the status of your citations in KeyCite (see "Checking Citations" on page 24 for more information).
- Create a Cited Decisions list of cases cited by your case (see "Creating a Citations List" on page 26 for more information).
- Access QuoteRight to verify the accuracy of quotations in your documents (see "Verifying Quotations with QuoteRight" on page 29 for more information).
- Retrieve full-text versions of cited documents.

WestCheck is available via:

- Software integrated into Microsoft Word and Corel WordPerfect.
- Online software at drafting.thomsonreuters.com.
- Microsoft Word add-in.

Services Available in WestCheck

KEYCITE

Use Thomson Reuters KeyCite® citation checking service to instantly verify whether a case, statute, regulation, or administrative decision is good law, and to find citing references to support your legal argument. KeyCite integrates with the West Key Number System so you can track legal issues discussed in a case. In addition, KeyCite provides information such as:

- Direct appellate history of cases and administrative decisions.
- Negative citing references for cases and administrative decisions.
- Citations to cases, administrative decisions, secondary sources, briefs, and other court documents that have cited a case, statute, administrative decision, or regulation.
- Citations to session laws or rules amending or repealing a statute or regulation.
- Citations to proposed legislation affecting a federal or state statute.

KeyCite covers every case in the National Reporter System, as well as more than 1 million unpublished cases. KeyCite information is also available for federal and state statutes and regulations, administrative decisions from selected states, patents issued by the U.S. Patent and Trademark Office, American Law Reports (ALR) annotations, articles from hundreds of law reviews, and administrative decisions of selected federal agencies. In addition, KeyCite provides citing references from numerous texts and treatises.

FIND

When you know the citation of the document you want, WestCheck can retrieve the full text of the document and send it to a destination you choose. The Find service is available for many types of documents, including case law, statutes, regulations, administrative decisions, articles from publications such as law reviews and treatises, specialized materials (for example, OSHA inspection and enforcement reports), and materials published in foreign countries.

CITED DECISIONS

While KeyCite lists cases citing your case, the Cited Decisions service lists the cases cited by your case. Cited Decisions gives you an idea of whether the precedential value of the case you are citing has been eroded. Cited Decisions is also available for ALR annotations, law review articles, and selected administrative decisions.

Cited Decisions is a useful tool for finding hidden weaknesses in a case because it shows whether the cases on which your case relies have significant negative history. The Cited Decisions result allows you to determine at a glance which cited cases merit investigation.

- Cited cases are marked with KeyCite status flags, which indicate whether the cases have history or citing references available in KeyCite.
- Each cited case is marked with depth of treatment stars that indicate the extent to which the citing case discusses the cited case.
- Quotation marks indicate when a citing case directly quotes the cited case.

QUOTERIGHT

Use QuoteRight to verify the accuracy of quotations cited in your document. When WestCheck extracts citations from your document, it also creates a list of quotations found in your document. You can choose to have the QuoteRight service check these quotations against the full text of the documents.

Working with Profiles in WestCheck

If you are a new user, it is recommended that you define presets for common use cases using the **Profile** options. Profiles allow you to select, save, and reuse options you use frequently. Each time you access the WestCheck tool, you are provided with options to select an existing profile, view/edit profile settings for a selected profile, and create a new profile.

CREATING NEW WESTCHECK PROFILES

1. Click the **WestCheck** tool on the side of your document.
2. Click **Create New**.

3. Type a name for the new profile in the **Profile Name** box (e.g. KeyCite History).
4. Select a **Jurisdiction** from the list.
5. Select the content categories you would like to include in your citations list.
6. When the WestCheck tool extracts citations from your document, it also creates a list of quotations found in your document. When a quotation is attached to a citation, the WestCheck tool compares the quotation in the user's document against the actual quotation in the cited document. QuoteRight displays the quotation text from both the user's document and the cited document, noting if the quotation is identical or different. You can also choose to ignore quotes that contain less than two to six words. The WestCheck tool extracts the citation but QuoteRight does not attach quotations with less than the specified number of words to the citations (e.g., select **2** to indicate that QuoteRight should not process quotations of less than two words). Turn this feature off by selecting **Turn off QuoteRight**.
7. Select the services (KeyCite, Find, QuoteRight, and Cited Decisions) to use to check your citations. To set KeyCite limits, click the **Select Limits** link under the **KeyCite** option (see "Setting KeyCite Limits" on page 31 for more information).
8. Select to sort the WestCheck citation list report by **Citation** or **Services (KeyCite, Find, QuoteRight, Cited Decisions)**.
9. Select to **Include short form instances, unverified cites and cites for which no services have been requested** in the WestCheck summary, if desired.
10. Click **Save**.

- Utilize the new saved profile in the WestCheck tool by selecting it from the **Select Profile** list, then clicking **Extract Citation List**. For detailed information on creating a citations list, see "Creating a Citations List" on page 26.

VIEWING, EDITING, AND DELETING WESTCHECK PROFILE SETTINGS

To edit the settings for a WestCheck profile:

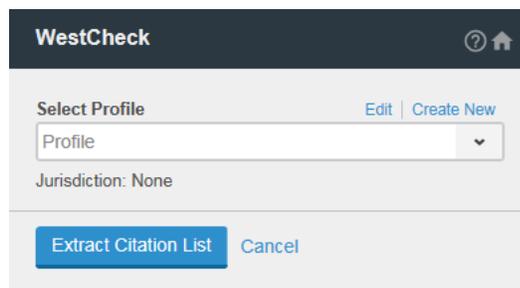
- Click the **WestCheck** tool on the side of your document.
- Select the profile you want to view or edit from the **Select Profile** list.
- Click **Edit**. Note, the default profile can be viewed but not edited.

4. Edit the settings as desired and click **Save**. To delete the profile, click **Delete Profile** at the bottom of the left pane. Click **Continue** to confirm.

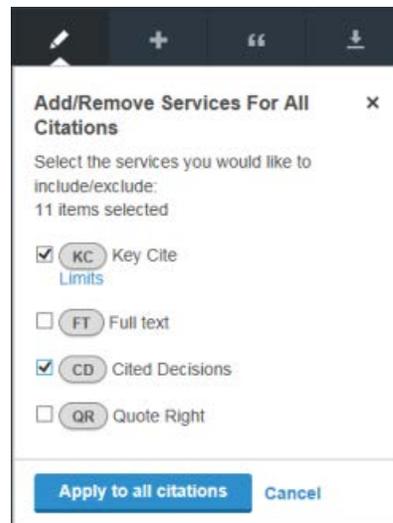
Checking Citations

You can check your citations in the WestCheck tool using the KeyCite, Find, QuoteRight, and Cited Decisions services then create an online or offline report. Note that citations that are unverified or that contain potential errors display with an unverified tag next to them. This tag remains until the citation is corrected and the new citations list is extracted or until the citation is manually added to the list.

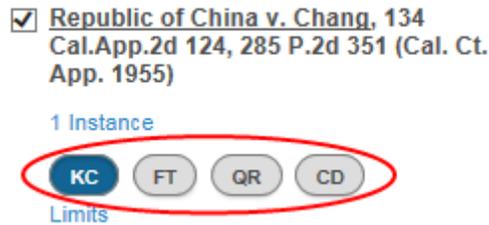
1. Click the **WestCheck** tool on the side of your document. If you are accessing Drafting Assistant from Word, begin by clicking the **DA** toolbar button (see [Accessing Drafting Assistant Tools from Your Word Processor](#) for more information).
2. If you are a new user, it is recommended that you define presets for common use cases using the **Profile** options. Profiles allow you to select, save, and reuse options you use frequently. See "Working with Profiles in WestCheck" on page 22 for more information.
3. Click **Extract Citation List**.



4. Select the services (KeyCite, Find, Cited Decisions, QuoteRight) to use to check your citations.
 - To add/remove services for all citations, click the **Add/Remove Services** button (🔧), select the services you would like to include/exclude, and click **Apply to all citations**.



- To add/remove services for individual citations, click to add/remove the services using the buttons below the citation. To set KeyCite limits, click the **Limits** link under the **KC** button (see "Setting KeyCite Limits" on page 31 for more information).



- To generate a report of your citations, see "Working with Reports in WestCheck" on page 30.

About KeyCite Status Flags

KeyCite is a citation research service which helps you determine whether your case, statute, administrative decision, or federal regulation is good law and find cases and other sources that cite it. A red, yellow, or blue striped flag; blue H; or green C indicates that KeyCite information is available for the associated document. A KeyCite status flag lets you know immediately the status of a case, statute, regulation, rule, or administrative decision.

Red Flag

In cases and administrative decisions, a red flag warns that the case or administrative decision is no longer good law for at least one of the points of law it contains.

In statutes and regulations, a red flag warns that the statute or regulation has been amended by a recent session law or rule, repealed, superseded, or held unconstitutional or preempted in whole or in part.

Yellow Flag

In cases and administrative decisions, a yellow flag warns that the case or administrative decision has some negative history, but has not been reversed or overruled.

In statutes and regulations, a yellow flag warns that the statute has been renumbered or transferred by a recent session law; that an uncodified session law or proposed legislation affecting the statute is available (statutes merely referenced, i.e., mentioned, are not marked with a yellow flag); that a proposed rule affecting the regulation is available; that the regulation has been reinstated, corrected, or confirmed; that the statute or regulation was limited on constitutional or preemption grounds or its validity was otherwise called into doubt; or that a prior version of the statute or regulation received negative judicial treatment.

Blue Striped Flag

A blue striped flag indicates a document has been appealed to the U.S. Courts of Appeals or the U.S. Supreme Court (excluding appeals originating from agencies).

Blue H

In cases and administrative decisions, a blue H indicates that the case or administrative decision has some history.

Green C

In cases and administrative decisions, a green C indicates that the case or administrative decision has citing references but no direct history or negative citing references. In statutes and regulations, a green C indicates that the statute or regulation has citing references.

Unverified Red U

Citations that are unverified or that contain potential errors display with an Unverified tag next to them.

ABOUT DEPTH OF TREATMENT CATEGORIES

Examined

The citing case, administrative decision, or brief contains an extended discussion of the cited case or administrative decision, usually more than a printed page of text.

Discussed

The citing case, administrative decision, or brief contains a substantial discussion of the cited case or administrative decision, usually more than a paragraph but less than a printed page.

Cited

The citing case, administrative decision, or brief contains some discussion of the cited case or administrative decision, usually less than a paragraph.

Mentioned

The citing case, administrative decision, or brief contains a brief reference to the cited case or administrative decision, usually in a string citation.

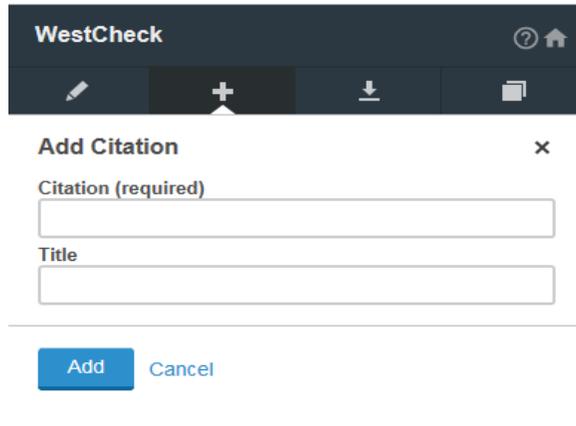
Creating a Citations List

Extract the citations from your document and create a citations list by clicking the **WestCheck** tool on the left side of your document, then clicking **Extract Citation List**.

ADDING CITATIONS TO THE CITATIONS LIST

Once you have extracted a citation list, you can manually add citations to that list.

1. Click the **Add Citation** button () at the top of the citations list.
2. In the **Citation** box, type the citation.
3. In the **Title** box, type a title for the citation.
4. Click **Add**.

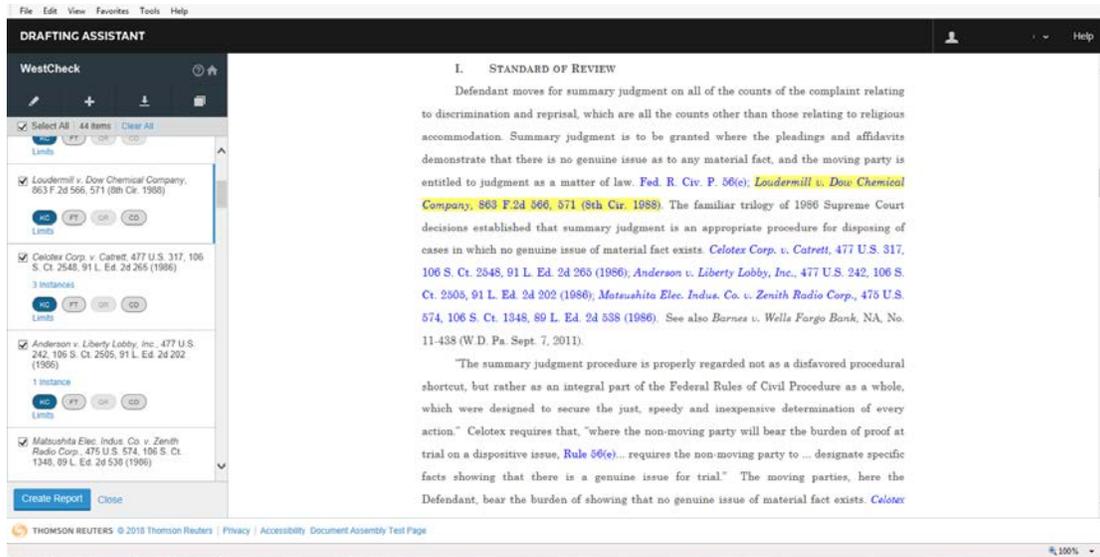


The screenshot shows the 'WestCheck' application interface. At the top, there is a dark header with the 'WestCheck' logo and a home icon. Below the header is a toolbar with four icons: a pencil (edit), a plus sign (add), a downward arrow (download), and a document icon (print). A modal dialog box titled 'Add Citation' is open, featuring a close button (X) in the top right corner. The dialog contains two text input fields: 'Citation (required)' and 'Title'. At the bottom of the dialog are two buttons: 'Add' and 'Cancel'.

LOCATING A CITATION IN YOUR DOCUMENT

Locating a Citation

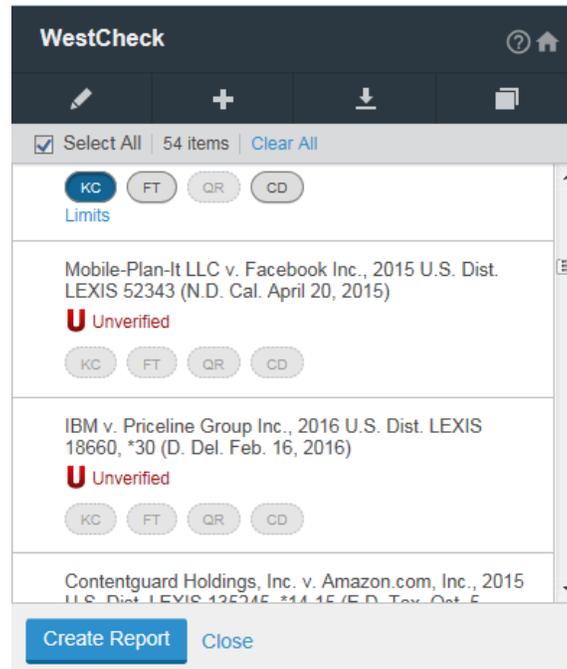
To quickly locate a citation in your document, select it from the citations list in the left pane. The document view scrolls to the location of the citation and the citation is highlighted in your document.



Locating Inaccurate Citations

Citations that are unverified or that contain potential errors display with an unverified tag next to them (**U Unverified**). This mark remains until the citation is corrected and the WestCheck tool is run again or until the citation is manually added to the list.

Citations that are not available with your subscription display with a red symbol displayed next to them.

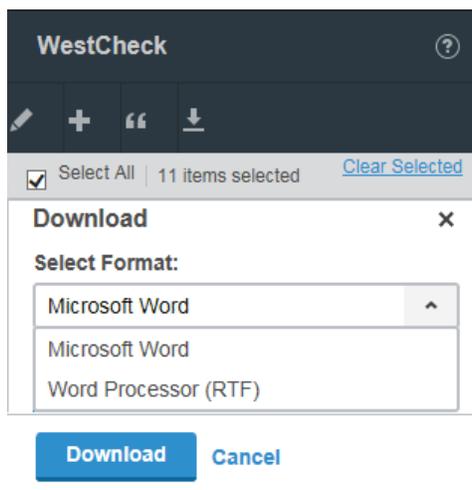


DOWNLOADING, PRINTING, AND SENDING CITATIONS

Download, print, and send the entire citations list or individual citations in the list. This option is not available in the Drafting Assistant Office Add-in application. For instruction using the Office add-in, see "Downloading, Printing, and Sending Citations with the Office add-in" on page 28.

1. Click the check box next to the citations you want to download. If you want to download all of the citations, click the **Select All** check box.

2. Click the **Download** button (📄) at the top of the citations list.
3. Select a format from the list, then click **Download**.

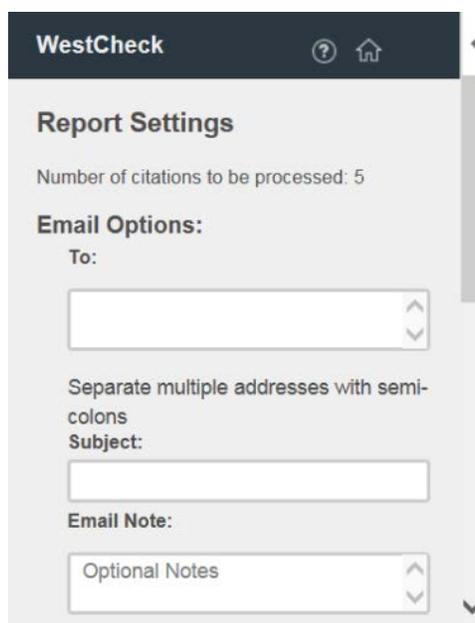


Once downloaded, you can open and print the downloaded citations and you can send them to others via email.

DOWNLOADING, PRINTING, AND SENDING CITATIONS WITH THE OFFICE ADD-IN

To download, print, and send the entire citations list or individual citations in the list using the Drafting Assistant Office add-in, complete the following:

1. Click the check box next to the citations you want to download in the WestCheck report (see "Working with Reports in WestCheck" on page 30 for more information). If you want to download all of the citations, click the **Select All** check box.
2. Complete the required fields, and click **Generate Report**.



Once the email has been received, you can open and print the downloaded citations and you can send them to others via email.

Verifying Quotations with QuoteRight

Use QuoteRight to verify the accuracy of statutory or case law quotations cited in your document. When the WestCheck tool extracts citations from your document, it also creates a list of quotations found in your document.

If a citation is linked to a quotation, the number of available quotations for the citation is listed after the citation in your citations list. WestCheck also creates a list of quotations found in your document. You can view the extracted quotations for the entire list or you can view the extracted quotations by individual citations.

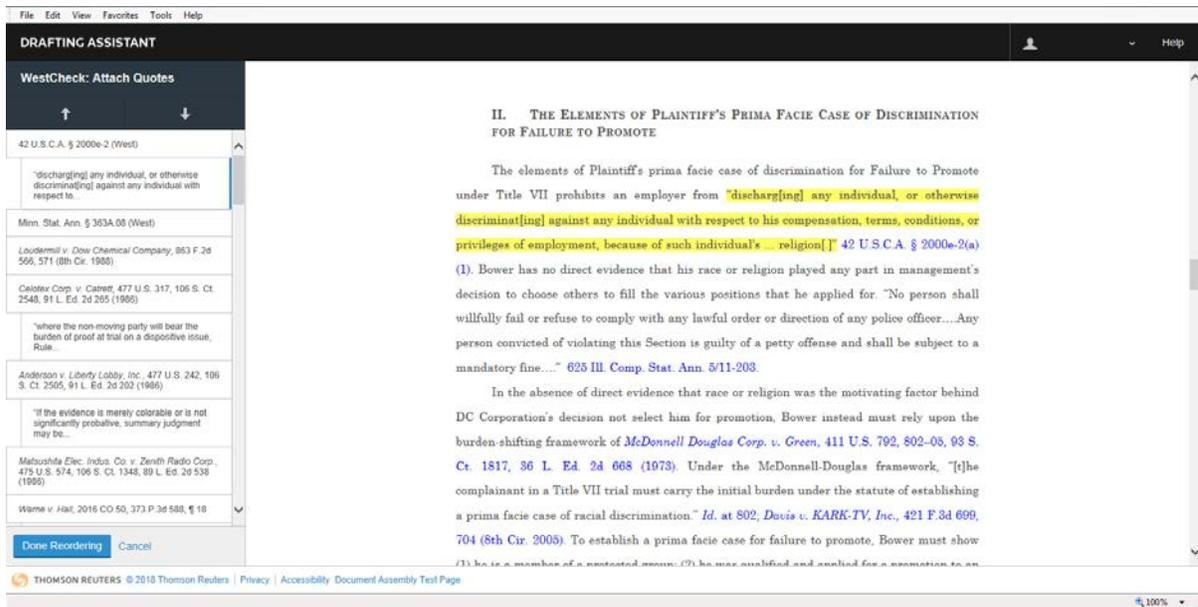
When a quotation is attached to a citation, WestCheck compares the quotation in the user's document against the actual quotation. QuoteRight displays the quotation text from both the user's document and the cited document, noting if the quotation is identical or different.

VIEWING QUOTATIONS BY INDIVIDUAL CITATION:

You must enable the QuoteRight service in the WestCheck profile that you use when extracting your citation list. When QuoteRight is enabled and citations are extracted, an **Attach Quotes**  button displays at the top of the WestCheck citations list. For more information, see "Working with Profiles in WestCheck" on page 22.

1. Click the **Attach Quotes**  button located at the top of the WestCheck citations list.
2. Select a quote from the list of quotes.
3. Detach a quotation from a citation by dragging the quotation to the **Unattached Quotes** area at the bottom of the quotes list.
4. Attach a quotation from **Unattached Quotes** at the bottom of the quotes list by dragging it to the citation you want to attach it to.
5. Optionally, select a quotation and click the Move Up  or Move Down  button to move it up or down in the list.

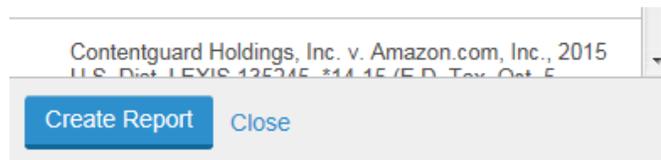
To quickly locate a quotation in your document, select it from the quotes list in the left pane. The document view will scroll to the location of the quote and the quote will be highlighted in your document.



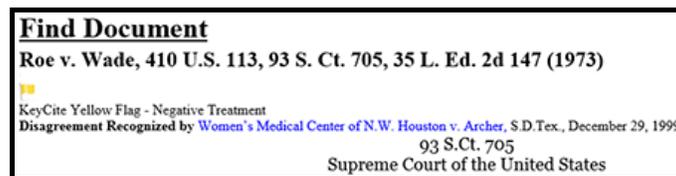
The screenshot displays the Drafting Assistant interface. On the left, the 'WestCheck: Attach Quotes' panel is visible, showing a list of extracted quotations. The selected quotation is: "discharg[ing] any individual, or otherwise discriminat[ing] against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's ... religion[.]" 42 U.S.C.A. § 2000e-2(a) (1). The right pane shows the document view with the corresponding text highlighted in yellow. The document title is 'II. THE ELEMENTS OF PLAINTIFF'S PRIMA FACIE CASE OF DISCRIMINATION FOR FAILURE TO PROMOTE'. The text in the document view reads: "The elements of Plaintiff's prima facie case of discrimination for Failure to Promote under Title VII prohibits an employer from "discharg[ing] any individual, or otherwise discriminat[ing] against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's ... religion[.]" 42 U.S.C.A. § 2000e-2(a) (1). Bower has no direct evidence that his race or religion played any part in management's decision to choose others to fill the various positions that he applied for. "No person shall willfully fail or refuse to comply with any lawful order or direction of any police officer... Any person convicted of violating this Section is guilty of a petty offense and shall be subject to a mandatory fine..." 625 Ill. Comp. Stat. Ann. 5/11-203. In the absence of direct evidence that race or religion was the motivating factor behind DC Corporation's decision not to select him for promotion, Bower instead must rely upon the burden-shifting framework of *McDonnell Douglas Corp. v. Green*, 411 U.S. 792, 802-05, 93 S. Ct. 1817, 36 L. Ed. 2d 668 (1973). Under the McDonnell-Douglas framework, "[t]he complainant in a Title VII trial must carry the initial burden under the statute of establishing a prima facie case of racial discrimination." *Id.* at 802; *Davis v. KARK-TV, Inc.*, 421 F.3d 609, 704 (8th Cir. 2005). To establish a prima facie case for failure to promote, Bower must show (1) he is a member of a protected group; (2) he was qualified and applied for a promotion to an

Working with Reports in WestCheck

1. Once you have checked your citations in WestCheck (see "Checking Citations" on page 24 for more information), click **Create Report**.



2. Select the **Report Settings**:
 - **Delivery Options**:
 - The **Email** option provides boxes for To, Subject, Email Note, and a Format list that allows you to choose to deliver the report in Word, PDF, or RTF format. You can deliver the report to multiple email addresses.
 - The **Download** option allows you to choose to download the report in Word, PDF, or RTF format. This option is not available in the Drafting Assistant Office Add-in application.
 - The **Online Report Display** option allows you to view the report in your browser and includes links to the full-text documents on Westlaw, links to the KeyCite history and citing references, and a navigational index. This option is not available in the Drafting Assistant Office Add-in application.
 - **Result Options**:
 - Select **Deliver Find results separately from the report** and select Word, PDF, or RTF format to deliver all Find requests in a separate document in that format. If you select this option, you may also want to select **Create one file for all Find Results** to deliver the Find requests separately and as one single document (instead of multiple documents).
 - Select **Substitute with Reporter Images when available** to deliver PDF images of case law documents exactly as they appear in the National Reporter System. If you select this option, you may also want to select **Create one PDF for all Reporter Images** to deliver the results as a single PDF (instead of multiple PDFs).
 - Select **Dual Column Layout for Cases** to format the results in two columns per page. This option is not available for the Online Report Display.
 - **Report Options**:
 - Select **KeyCite Flags in Find Results for Cases** to display KeyCite flags and information in the Find Results (see below for example).



- **Citation Options**:
 - If you have access to Cite Formatting through a Drafting Assistant subscription, you have an additional option to view your citations within the WestCheck report in a particular rule format. This option is not available in the Drafting Assistant Office Add-in application.
 - Select the **Rules for Citation** you prefer from the list. This option is not available in the Drafting Assistant Office Add-in application.
 - By default the rule format is Westlaw which provides all of the citation details that may not be included in the citation formatting rules. For example, Westlaw format includes all possible parallel citations, the specific date of a case decision, and the docket number for the case. This option is not available in the Drafting Assistant Office Add-in application.

3. Click **Generate Report**.

The screenshot shows the WestCheck interface with the following sections:

- WestCheck** header with a help icon and home icon.
- Report Settings** section: "Number of citations to be processed: 54".
- Delivery Options:** Radio buttons for "Email", "Download", and "Online Report Display" (selected).
- Result Options:** Sub-section **Full Text** with checkboxes for:
 - Deliver Full Text results separately from the report:
 - Substitute with Reporter Images when available:
 - Dual Column Layout for Cases:
 - Deliver footnotes inline:
 - Include West Headnotes:

Note: Footnote and Headnote delivery options will not apply to Reporter Images if requested.
- Report Options:** Checkbox for "KeyCite Flags in Full Text Results for Cases" (unchecked).
- Rules for Citation:** A dropdown menu currently set to "Westlaw".
- Buttons for "Generate Report" and "Cancel" at the bottom.

ABOUT WESTCHECK REPORTS

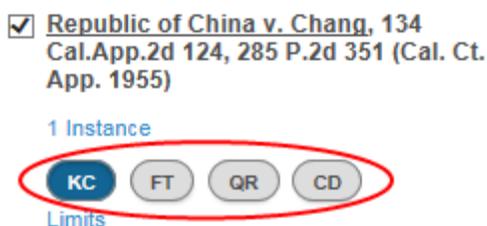
Reports generated using the WestCheck tool consist of a header, summary report, table of citations with services requested for each, detailed services reports, and a billing summary. Reports include linked KeyCite status flags (see "About KeyCite Status Flags" on page 25 for more information) and depth-of-treatment indicators (see "About Depth of Treatment Categories" on page 26 for more information) for cited documents so that you know at a glance whether your authority is good law.

The online report includes the KeyCite status flags, links to the full-text documents on Westlaw, links to the KeyCite history and citing references, and a navigational index.

Setting KeyCite Limits

Use KeyCite Limits in the WestCheck tool to restrict your KeyCite results for cases and statutes. Limiting your results is helpful if you are interested only in specific categories of KeyCite information.

You can set KeyCite Limits to apply to all citations by setting and saving the Limits in WestCheck profiles (see "Working with Profiles in WestCheck" on page 22 for more information). You can also set KeyCite Limits for individual citations using the **Limits** link under the **KC** button once you extract a citation list (see "Creating a Citations List" on page 26 for more information).



KEYCITE LIMITS

Limits for Date, Content Type, Depth of Treatment and other filters are only applied to positive Citing References included in your WestCheck report. Full Negative Treatment will always be provided.

Cases:

- Select **Include Citing References** to retrieve citing references for cases.
 - Click **Narrow by Content Type and Other Filters** to further restrict citing references from displaying. Clicking this link provides options to filter citing references by **Content Types, Depth of Treatment** (see "About Depth of Treatment Categories" on page 26), **Jurisdictions, Reported Status, and Date Range**.
 - If you select **Include Citing References**, you may also want to select **Limit Citing References to Negative Treatment** to retrieve only negative treatment citing references for the case. **Narrow by Content Type and Other Filters** will not apply to Negative Treatment.
- Select **Include History References** to retrieve KeyCite history for cases. If you select this option, you may also want to select **Limit History to Negative Treatment** to retrieve only the negative treatment history for the case. If you select to limit the history, you can further select to **Exclude Filings** to retrieve negative history for the case but not include citations for related court documents.

WestCheck

Loudermill v. Dow Chemical Company, 863 F.2d 566, 571 (8th Cir. 1988)

Include Citing References

Limit Citing References to Negative Treatment

Narrow by Content Type and Other Filters

Include History References

Limit History to Negative Treatment

Exclude Filings

Save Cancel

Statutes:

- Select **Include Citing References** to retrieve citing references for statutes.
 - Click **Narrow by Content Type and Other Filters** to further restrict citing references from displaying. Clicking this link provides options to filter citing references by **Content Types, Depth of Treatment** (see "About Depth of Treatment Categories" on page 26), **Jurisdictions, Reported Status, and Date Range**.
- Select **Include History References** to retrieve statutory history, including proposed legislation, credits, and statutory and historical notes. If you select this option, you may also want to select **Limit to Validity References** to retrieve history for the statute but limit it to validity references.

WestCheck

42 U.S.C.A. § 2000e-2 (West)

Include Citing References

Narrow by Content Type and Other Filters

Include History References

Limit to Validity References

Save Cancel

Analytical & Law Reviews:

- Select **Include Citing References** to retrieve citing references for analytical and law reviews.
 - Click **Narrow by Content Type and Other Filters** to further restrict citing references from displaying. Clicking this link provides options to filter citing references by **Content Types, Depth of Treatment** (see "About Depth of Treatment Categories" on page 26), **Jurisdictions, Reported Status, and Date Range**.

Patents:

- Select **Include Citing References** to retrieve citing references for patents.
 - Click **Narrow by Content Type and Other Filters** to further restrict citing references from displaying. Clicking this link provides options to filter citing references by **Content Types, Depth of Treatment** (see "About Depth of Treatment Categories" on page 26), **Jurisdictions, Reported Status, and Date Range**.
 - If you select **Include Citing References**, you may also want to select **Limit Citing References to Negative Treatment** to retrieve only negative treatment citing references for the patent. **Narrow by Content Type and Other Filters** will not apply to Negative Treatment.
- Select **Include History References** to retrieve KeyCite history for patents. If you select this option, you may also want to select **Limit History to Negative Treatment** to retrieve only the negative treatment history for the patents. If you select to limit the history, you can further select to **Exclude Filings** to retrieve negative history for the patents but not include citations for related court documents.

About Deal Proof

Use the Deal Proof tool to analyze and review document drafts. You can quickly generate or review a first draft, as well as find and address potential errors, omissions, and inconsistencies that may occur in the process of drafting, negotiating, and reviewing your agreement. Deal Proof flags your document for potential errors and discrepancies, and references made in your document. After thoroughly reviewing your document, you can generate reports for flags, references, and the outline of the findings and then remove all markings and hypertext links in the documents.

Working with Deal Proof Settings

Deal Proof allows you to customize your analysis, display, and flag settings.

1. On the Deal Proof tool, click the settings button () at the bottom of the viewer.

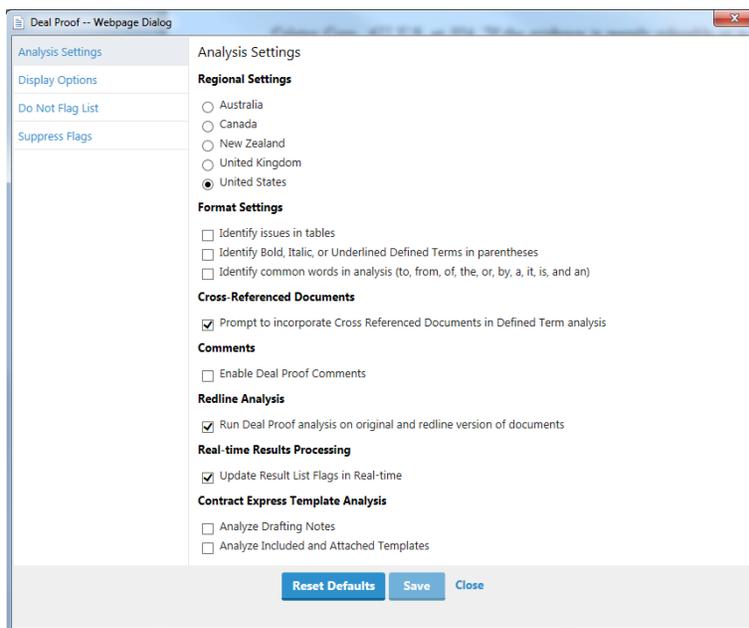


ANALYSIS SETTINGS

To select regional and formatting settings to be used during analysis, click **Analysis Settings**. The default settings are based on legal terminology and formatting that are typical for the location selected during installation. You can change the settings to reflect legal terminology and formatting for the United States, United Kingdom, Canada, Australia, and New Zealand, as needed.

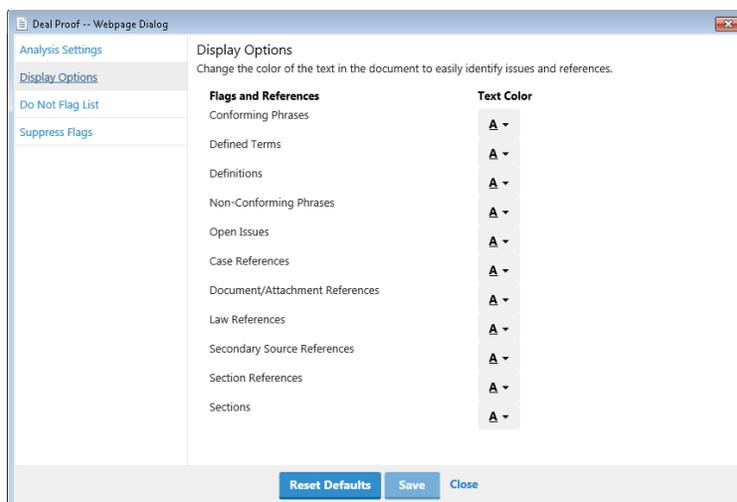
1. Select a location to use the legal language styles of that region. During analysis, Deal Proof uses terminology typical of the region to help in identifying elements in your document. For example, a lawyer in the U.S. would typically use "Defined Terms" or "Definitions" to introduce the section of a document that lays out what the parties intend certain words to mean within the document. A lawyer in the U.K. would typically use "Interpretations."
2. To identify defined terms and other flag types within tables, select **Identify Defined Terms in Tables**. In the United Kingdom, it is common practice to place defined terms in tabular format, in which case you would want to select this setting. In the United States, tabular format is usually reserved for data that is not defined terms, in which case you would want to clear this setting.
3. To identify defined terms based on text treatment (bold, italic, or underlining) and enclosure within parentheses, select **Identify Bold, Italic or Underlined Defined Terms in Parentheses**. If this setting is selected, Deal Proof identifies these elements as potential defined terms.
4. Select **Prompt to incorporate Cross Referenced Documents in Defined Term analysis**, if desired.
5. Select **Enable Deal Proof Comments**, if desired.
6. Select to **Run Deal Proof analysis on original and redline version of documents**, if desired.
7. To automatically update Flags in the Result List as the document is edited, select **Update Result List Flags in Real-time**.

8. Click **Reset Defaults** to return the settings to their defaults.
9. Click **Save** to apply changes.
10. Click **Close**.



DISPLAY OPTIONS

To change the display options and modify the text color in the document to easily identify issues and references, click the **Display Options** tab. Use the **Text Color** list for each of the Flags and References and select a color. Click **Reset Defaults** to return the settings to their defaults. Click **Save** to apply changes.

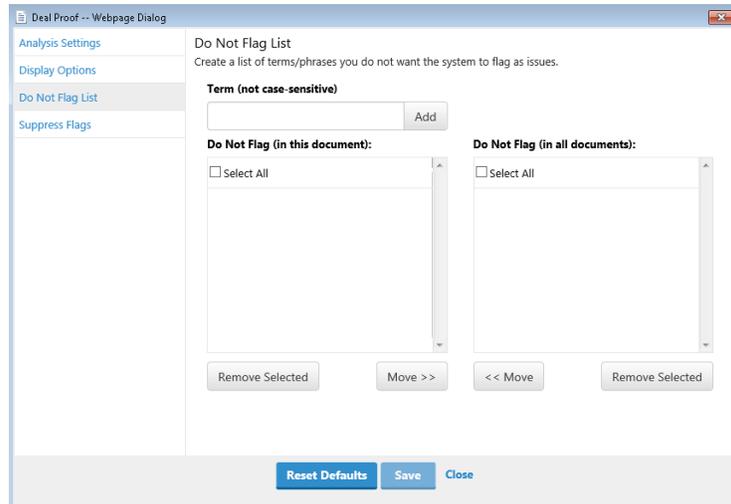


DO NOT FLAG LIST

To customize reports and results by not flagging certain terms, click **Do Not Flag List**. You can create a list of terms that you do not want to flag in the current document and terms you do not want to flag in all documents.

1. Type a term in the **Term (not case-sensitive)** box and click **Add**. The term displays in the **Do Not Flag (in this document)** list.
2. Use the **Move** buttons to move terms between the Do Not Flag (in this document) and the Do Not Flag (in all documents) lists.
3. Select the terms that you do not want to flag in the lists.

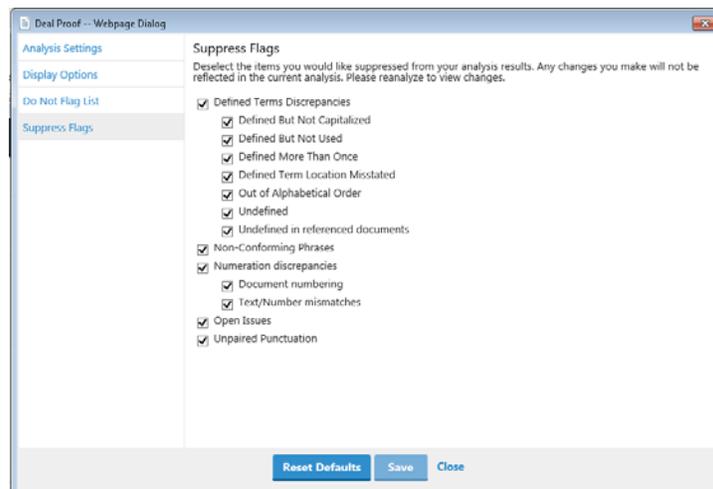
4. To remove a term, select the term and click **Remove Selected**.
5. Click **Reset Defaults** to remove all terms from both lists.
6. Click **Save** to apply changes.
7. Click **Close**.



SUPPRESS FLAGS

To customize reports and results by suppressing flags, click **Suppress Flags**. Clear the check boxes next to the type of flags you would like to suppress. Suppressing a flag does not eliminate color mark-up of the flag, but suppresses the flag from appearing in the Results list. Click **Save** to apply changes. Click **Reset Defaults** to revert to the default and include all flags in the analysis list. Click **Close** to finish.

Any changes you make are not reflected in the current analysis. To view changes, you must re-analyze the document or enable the **Update Result List Flags in Real-time** setting.



Working with Deal Proof

Locate errors and inconsistencies in your document, analyze references, and generate reports using the Deal Proof tool.

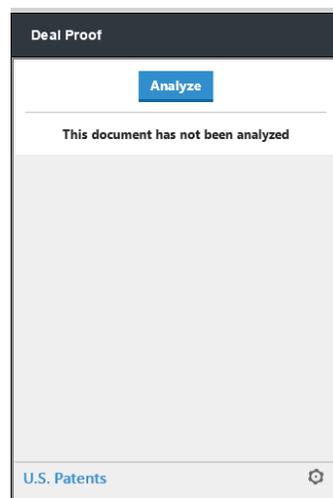
ANALYZING A DOCUMENT

These items are checked when a document is analyzed:

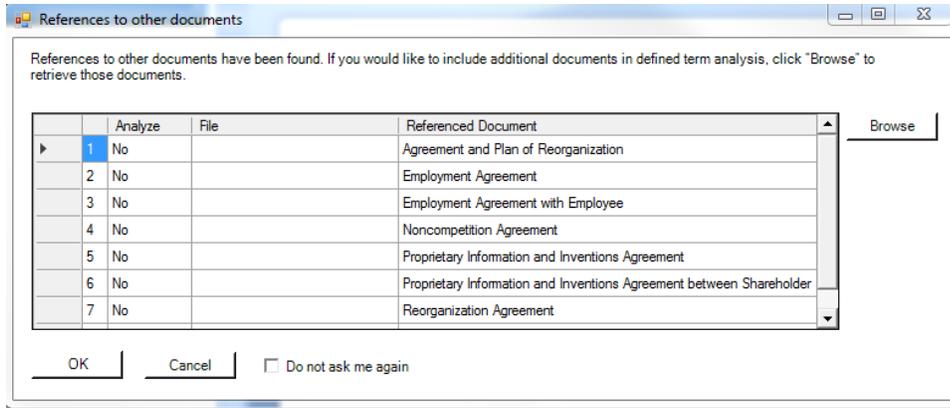
- Terms that appear to require definitions have been defined.
- Defined terms are located in the document and defined only once.
- Defined terms are located as stated in the document.
- Entries in the definition section are alphabetized.
- Punctuation is properly paired.
- Similar phrases and expressions are stated with consistency.
- Numeration is correct at all levels in the document.
- Open issues in the document have been addressed.

You can locate errors and inconsistencies in your document. Further, if your main document contains references to other documents, the referenced documents can be analyzed as well. For example, if your main document uses a term that is defined in a separate document, the software can verify that the term is defined in that document. When analyzing a document, no changes are made to the content of your document.

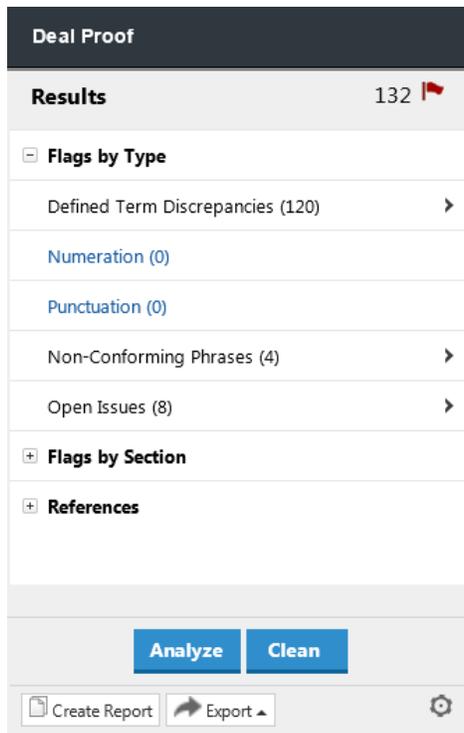
1. Click **Deal Proof** on the Drafting Assistant toolbar.
2. Click **Analyze**.



3. If references to other documents are detected, a list of references displays. For each referenced document you want to include in the analysis, click **Browse**, locate the file, and click **Open**.
4. When you are finished linking files to referenced documents, click **OK** to continue analysis. Your draft document and the selected referenced documents are analyzed.



5. All potential errors and inconsistencies and references display in the left pane.
6. Expand/collapse the lists of flags and references found in the document and click the Flag and Reference types to go to the flag or reference link.
7. Click the flag or reference link to go to the flag or reference in the document text

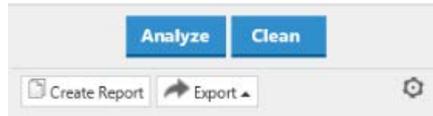


8. For more information on the types of flags and references listed, see "Understanding Flags" on page 40 and "Understanding References" on page 40.
9. If **Update Result List Flags in Real-time** has been enabled (see "Working with Deal Proof Settings" on page 34 for more information), the results list will refresh each time a change is made to the document.
10. Click **Create Report** to generate a report of the analysis. For more information, see "Creating Reports" on page 39.
11. Click **Export** and select **Download** to open the results in a separate document. Select **Email** to send the results as a Microsoft Outlook attachment. Click **Deliver Report**.
12. Click **Close** to remove all markings inserted in your document and close the Results pane. Cleaning a document does not remove any of the substantive changes you make to the content of the document during the analyzing process. After cleaning a document, you can forward it to others, with no evidence of analysis.

CREATING REPORTS

After analyzing a document (see "Analyzing a Document" on page 37 for more information), you can generate reports for flags, references, and an outline.

1. Click **Deal Proof** on the Drafting Assistant toolbar.
2. Click **Create Report**.



3. Select **By Section** or **By Type** to indicate the flag report organization.
4. Select **Download** or **Email** from the delivery options. Select a format from the **Format** list.
5. Select any or all of the **Flags** and **References** you want to include in your report.
6. Select the **Outline** check box to create a report that shows an outline of key sections in your document.
7. Click **Generate Report**.

A screenshot of the 'Deal Proof' report configuration dialog box. The title bar reads 'Deal Proof'. The main content area is titled 'Reports' and contains the following sections:

- How would you like the flag report organized?**
 - By Section
 - By Type
- Select sections to include in the report.**
 - Flags
 - Defined Term Discrepancies
 - Defined But Not Capitalized
 - Defined But Not Used
 - Defined More Than Once
 - Defined Term Location Misstated
 - Out of Alphabetical Order
 - Undefined
 - Undefined In Referenced Document
 - Non-Conforming Phrases
 - Numerical Discrepancies
 - Document Numbering
 - Text/Number Mismatches
 - Open Issues

At the bottom of the dialog, there are three buttons: 'View Report', 'Email Report', and 'Close'.

To customize reports and results by suppressing certain flags, see "Working with Deal Proof Settings" on page 34.

Understanding References

After analyzing your document, all references in the document are marked in the document and listed in the results pane. For more information on analyzing a document, see "Working with Deal Proof" on page 37. The following types of references are marked:

<input type="checkbox"/> References	
Cited Sources (0)	
Conforming Phrases (19)	>
Cross-Referenced Documents (8)	>
Cross-Referenced Sections (5)	>
Defined Terms (11)	>

CITED SOURCES

Sources such as law, cases, and secondary sources that are cited in your document are marked.

CONFORMING PHRASES

For each main phrase, the instances of that phrase in your document are marked. Expressions in your document do not need to be identical to be considered conforming phrases. For example, consider the phrase **have been exercised**. The following conforming phrases would display:

- deemed to **have been exercised** and such
- deemed to have been exercised immediately
- warrants have been exercised

CROSS-REFERENCED DOCUMENTS

Names of cross-referenced documents are marked.

CROSS-REFERENCED SECTIONS

Sections of your document that cross-reference other sections in your document are marked.

DEFINED TERMS

Terms that have been defined in your document are marked.

Understanding Flags

After analyzing your document, all potential errors and inconsistencies display in the results pane. For more information on analyzing a document, see "Working with Deal Proof" on page 37.

<input type="checkbox"/> Flags by Type	
Defined Term Discrepancies (115)	>
Numeration (0)	
Punctuation (0)	
Non-Conforming Phrases (4)	>
Open Issues (8)	>

DEFINED TERM DISCREPANCIES

These flags show potential issues and inconsistencies in defined terms, including the following:

- **Defined But Not Capitalized:** A term is defined but not capitalized.
- **Defined But Not Used:** A term is defined but not used in the document.
- **Defined More Than Once:** A term is defined more than once in the document.
- **Defined Term Location Misstated:** A term is defined in the main document but references to the term incorrectly state the location of the definition.
- **Out of Alphabetical Order:** A term in the definition section appears to be out of alphabetical order.
- **Undefined:** A term is used with initial caps in the middle of a sentence but is not defined in the document. That is, the term appears to require a definition but is not covered in the definitions section of the document.

NON-CONFORMING PHRASES

These flags help you focus on any inconsistent language in the document. Deal Proof finds the conforming phrases in the document and checks to see that similar phrases and expressions are used consistently throughout the document.

For example, suppose it is important that your document always use the expression “similar foreign, federal, state, or local statute.” In one instance, however, you use “foreign or federal” instead. Deal Proof flags the latter instance as a non-conforming phrase.

NUMERATION DISCREPANCIES

These flags help ensure that you use consistent numbering throughout your document. Deal Proof also flags numbers that are out of sequential order.

OPEN ISSUES

These flags show any blank spaces, multiple question marks, and dates or information that need to be finalized before the document is ready. Any open issues are flagged in brackets.

Open issues are identified as follows:

- Square/angle brackets (and the text between them).
- Bullet characters.
- Two or more consecutive uses of the letter “x”, except as document numeration.
- Question marks and other characters (# * @ ! \$).
- Underscores or underlined spaces (if not found in the Signature Section of a document).
- Words or phrases identified as incomplete, where the language is in **bold**, *italics*, or underlined.

UNPAIRED PUNCTUATION

These flags help locate any unpaired punctuation in the document, including unpaired brackets, parentheses, and quotation marks. For example, unpaired punctuation might include using an opening parentheses or bracket but not the closing parentheses or bracket, or using an opening quotation mark but not a closing quotation mark.

Suppressing Flags

To customize reports and results by suppressing certain flags, see "Working with Deal Proof Settings" on page 34.

