

## M E M O

**TO:** All Counsel Practicing Before the Workers' Compensation Court  
**FROM:** Hon. James Jeremiah Shea  
**DATE:** March 28, 2006  
**RE:** Research on the Website - Topics Index - Key Word Searches

Earlier this year the Court had made a decision not to continue providing the topics indexes in its published decisions with the corresponding key word searches on the website. This decision was reached for a number of reasons but primarily there was a concern that the Court may inadvertently exclude a topic which, if a party is relying exclusively on the topics section, may cause the party's research to be deficient. More compelling, however, was the fact that a search tool is already provided by the State of Montana which, once parties become more familiar with it, I believe will prove to be a more effective research tool.

For those of you that are unsure of how the search tool works, the following should assist you:

1. On the website, go to the Workers' Compensation Court home page:  
<http://wcc.dli.mt.gov/>
2. Go to the "Workers' Comp. Court Decisions" link under "Case Law":  
<http://wcc.dli.mt.gov/cases.asp>
3. Go to the "SEARCH ENGINE" link:  
<http://search.mt.gov/cgi-bin/texis.cgi/webinator/search/?pr=DLI>
4. On the right-hand side of the "Search for" drop-down, check "Only Montana Workers' Compensation Court." On the left-hand side of the "Search for" box, you may want to use a search term that will narrow your initial search to "mainly" Workers' Compensation Court decisions. For example, the term "DATED" appears in all of the published decisions, and will exclude most (but not all) of the other documents published on the website under the Workers' Compensation Court banner. There will always be some hits that are not published decisions.
5. Then check the box that says "Search within the following results." You can also sort by date if you choose.
6. You may want to use the "Advanced" search tab. Read through the "Search Help" links. There are many ways to pare your searches down. For example, by putting quotations marks around your search term, it will keep the search in the exact format that you specify.

The results that you receive on your searches are based on the number of times your search term appears in the documents. If, for example, you searched on a name of a party ("Smith"), decisions and documents that cite to "Smith" will be named at the top of your results. The actual decisions in the "Smith" matter will appear much further down in your results because the word "Smith" is used only in the caption of those documents.

The Court had initially left the topics index on the website, with a caveat that it was not updated after January 1, 2006. The Court will be removing those topics index links for the reason that, while using the new search tool, those topics pages are search hits and the individual topics pages do not indicate they are not current. The decisions that are listed on those non-linked topics pages will, however, be retrieved with the new search tool.

The Court will also create a link to our main home page publishing frequently asked questions and the answers to those questions. We are also continually working with the State to ascertain ways to improve the web search tools.

As always, the Court welcomes any input or comments from counsel.

JJS/jb