

WestlawNext®

Comparing Westlaw Classic and WestlawNext

Interface • Features • Functionality

When you move from Westlaw® Classic to WestlawNext®, you won't have to relearn research skills. And, while you'll find similar features and services on WestlawNext, you'll also gain the advanced search technology of WestSearch®, a search engine designed for law that incorporates 125 years of proprietary analysis of the law and is available only on WestlawNext. You'll also find tools to help you organize, manage, and share your research and mobile access when you need research on the go.

The list below includes common Westlaw Classic tasks and features and their WestlawNext equivalents, in addition to information about WestlawNext features you won't find anywhere else. So, start using WestlawNext today and complete your research up to three times faster, as studies have shown.*

Westlaw Classic	WestlawNext	Description of WestlawNext Interface, Feature, or Functionality
Signing On		
Westlaw password/ Online ID	OnePass username and password	WestlawNext requires a OnePass username and password. Type your username and password in the text boxes at the sign-on page.
Client ID	Client ID	At the Welcome page, type a client identifier in the text box or click the arrow next to the <i>Client ID</i> text box to choose a previously used identifier.
Select a pricing method	Select a billing method	Select a billing method at the Welcome page, unless you or your administrator previously selected a default billing method.
Return to last research trail	Return to your recent research	You can choose to return to one of your last five research events, which are listed at the Welcome page.
Mobile Access		
Not available	iPad® app	Access WestlawNext via your iPad.
Not available	Android™ app	Access WestlawNext via your Android device.
Not available	Mobile browsers	Access WestlawNext on your smartphone or tablet.

* Study: [WestlawNext Is Faster Than Westlaw](#)

WestlawNext is available on the Web at next.westlaw.com.

For technical assistance, call West Customer Technical Support at **1-800-WESTLAW** (1-800-937-8529).

For search assistance, call the West Reference Attorneys at **1-800-REF-ATTY** (1-800-733-2889).

For free reference materials, visit legalsolutions.thomsonreuters.com/guides.

Finding Documents

Find a document by citation	Retrieve a document by citation	Type a citation in the search box at the top of the page and click Search .
Find a statute by citation	Retrieve a statute by citation	You can retrieve a statute by entering the citation in the search box. No find command is necessary. WestSearch recognizes that the text entered is a citation and returns the correct document, as opposed to running a search. You can also retrieve a statute using a Find Template. The template provides the text of the statute citation; simply fill in the box with the section number.
Find a case by party name	Retrieve a case by party name	Type the short title of the case (e.g., kelo v. new london) or parties' names in the search box at the top of the page, choose a jurisdiction from the Jurisdiction selector, and click Search .
Find and print multiple documents by citation	Retrieve multiple documents by citation	Type up to 20 citations, separated by semicolons, in the search box at the top of the page—or copy a list of multiple citations separated by semicolons or hard returns and paste them in the search box—and click Search . After the documents are retrieved, select the Select all items check box and click the delivery icon or click the arrow next to the icon and choose a delivery method from the menu. To save the documents to a folder, select the Select all items check box and click the Save to folder icon () on the toolbar. Then choose your desired folder and click Save .

Selecting Content to Search

Databases	Content categories	Content is organized by category. There is no need to access a database. You can type your search in the search box at the top of the home page and click Search to automatically run a search of all core legal content available on WestlawNext. See page 11 for a list of all core legal content categories.
Westlaw Directory	Browse content	You can choose specific content to search by clicking category links in the <i>Browse</i> section of the home page (e.g., <i>Cases</i> or <i>Secondary Sources</i>). See Figure 1 on page 12 for a view of the home page.
Database identifiers	Category pages	Each category of content is organized on its own page. When you click a category link in the <i>Browse</i> section of the home page, a corresponding tabbed search box is displayed at the top of the category page. Type your search in this box and click Search to search all content listed on the page.
Search for a database	Category page suggestions	As you begin to type a database identifier (e.g., ca-cs) or content category (e.g., california cases) in the search box at the top of the page, WestlawNext will suggest a corresponding category page by asking <i>Looking for this?</i> (e.g., the California State and Federal Cases page).

Selecting Content to Search (continued)

Scope	Content descriptions	Short content descriptions are provided on the category pages. If available, click the information icon (i) to display additional information.
Favorite Databases list	Favorites	Category pages you have saved as favorites are listed on the home page under <i>Favorites</i> . To add a page to Favorites, click the Add to Favorites star icon (★) at the top of a category page.
Recent Databases list	Frequently Used Items	Category pages you frequently access are automatically listed on the home page under <i>Favorites</i> .
Tabbed pages	Content category pages	To research core content for a specific jurisdiction, access the category page for a state. Type your search in the tabbed search box at the top of the page and click Search to search all content listed on the page. You can also select specific content on the category page to search (e.g., <i>Cases</i> or <i>Forms</i>). To research core content for a specific practice area (e.g., Commercial Law or Tax), access the category page for the topic. Type your search in the tabbed search box at the top of the page and click Search to search all content listed on the page. You can also select specific content on the category page to search (e.g., <i>Secondary Sources</i> or <i>Expert Materials</i>).
Customizing tabbed pages	Organizing favorites	Favorites listed on the home page can be organized as customized content groups that include up to 100 category pages. You can then run a search of all content listed on these category pages while viewing the home page.

Searching for Information

Natural Language	Descriptive terms	Type descriptive terms that describe the legal issue you are researching, e.g., what constitutes retaliation against a whistleblower , in the search box at the top of the page, then choose a jurisdiction or practice area. WestSearch, a search engine designed for law, searches the world's most comprehensive and authoritative collection of legal content and incorporates 125 years of proprietary analysis of the law and tools like key numbers, KeyCite, headnotes, notes of decisions, and exclusive secondary sources, to deliver relevant documents that use phrasing differently from your query. WestSearch identifies which documents are most relevant—using term matching, legal concepts, document characteristics, and search patterns—and places the most relevant documents at the top of the list. For more information about WestSearch, see page 11.
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Searching for Information (continued)

Terms and Connectors	Terms and Connectors	<p>Type a Terms and Connectors query, e.g., burden +s proof prov!, in the search box at the top of the page. WestSearch will retrieve documents that contain your terms in the specified relationships, with the most relevant documents listed at the top of the result page. For more information about WestSearch, see page 11.</p> <p>WestlawNext processes a search containing the terms <i>and</i>, <i>&</i>, <i>or</i>, or <i>quotation marks</i>, without other Boolean syntax, as a descriptive terms search. This ensures more thorough research and means that WestSearch will include search results with concepts related to your terms. When this happens, a link will be displayed above the search result to allow you to modify the result by running the search as Boolean Terms and Connectors.</p> <p>You can also direct WestlawNext to run a search using these terms as Boolean Terms and Connectors operators by doing any of the following:</p> <ul style="list-style-type: none"> • Add a proximity connector, expander, or field restriction to your search. • Enter your search using the Advanced Search feature, described below. • Click Preferences on the home page, click the Search tab, and choose to always run searches containing <i>and</i>, <i>&</i>, <i>or</i>, or <i>quotation marks</i> as Boolean Terms and Connectors.
	Advanced Search	<p>When you use the Advanced Search feature, WestlawNext uses the Boolean Terms and Connectors search method to retrieve documents. To access the Advanced Search template, click advanced next to the Search button. Then type your terms in the appropriate text boxes.</p>
Smart Tools®	Suggestions	<p>WestlawNext suggests spelling corrections (e.g., <i>Did you mean ...</i>), category pages (e.g., <i>Looking for this?</i>), and documents.</p>
Require/Exclude Terms	Require/Exclude Terms	<p>To require that a term (or phrase within quotation marks) be contained in every document retrieved, add a plus symbol (+) immediately before the term. To exclude documents that contain a term (or phrase within quotation marks), add a minus symbol (–) immediately before the term.</p>
	Advanced Search	<p>You can also use the Advanced Search feature to specify terms that must or must not appear in documents in your result.</p>
Field searching	Terms and Connectors	<p>You can add field restrictions to the Boolean Terms and Connectors query you type in the search box.</p>
	Advanced Search	<p>Selected fields are available on the Advanced Search template.</p>
	Filters	<p>You can narrow a search result by choosing a filter under <i>Narrow</i> in the left column of the result page. Filters vary by document type. For example, the filters available for cases include jurisdiction, date, reported status, topic, judge, attorney, law firm, key number, party, and docket number.</p>

Westlaw Classic	WestlawNext	Description of WestlawNext Interface, Feature, or Functionality
Searching for Information (continued)		
Table of Contents	Table of Contents	When you browse category pages for specific statutory codes, court rules, administrative codes, texts and treatises, and other publications, a table of contents for the publication is displayed. While viewing a document, you can also click Table of Contents on the document toolbar to access the table of contents.
Statutes index	Statutes index	To view the index for the statutes of a particular jurisdiction, click Statutes Index in the right column of the category page for the statutes.
West Key Number Digest (Custom Digest)	West Key Number System® page	Click the Tools tab at the home page and click West Key Number System to access the complete topic and key number outline. You can also click a key number in a case law, statutory, or secondary source document to retrieve a list of headnotes that are classified under that topic and key number. Or click Cases that cite this headnote to retrieve a list of citing references that discuss the legal issue summarized in the headnote.
Accessing Current Awareness Information		
Alerts	Alerts	Click Alerts at the top of any page. Available alert types are listed in the left column. Click a tab at the top of the page to create an alert, view alert history, or create a customized newsletter.
<i>Not available</i>	Practitioner Insights	Click the Topics tab at the home page and then click one of the following topics to display the Practitioner Insights page for the topic: antitrust, bankruptcy, energy and environment, finance and banking, health law, intellectual property, labor and employment, products liability, or securities. You can access practice area-specific legal news and analysis, all related content on WestlawNext, alerts, and recently filed legal documents. Practitioner Insights pages are also available for New York and National News. Practitioner Insights are available exclusively on WestlawNext.
Viewing Results		
Result list	Result page	The result page contains three columns (see Figure 2 on page 12): The left column lists the core content categories, as well as available filters. The center column lists documents in the category selected in the left column, with KeyCite flags displayed on cases, statutes, regulations, and administrative decisions. The right column lists a sampling of the most relevant secondary sources; briefs; and pleadings, motions, and memoranda in your search result.
Document rank order (reverse chronological or occurrence of terms)	Relevancy ranking	WestlawNext ranks documents on the result page by relevancy (see page 11). To change this default ranking, choose an option from the <i>Sort by</i> drop-down list at the top of the result page; for example, you can choose Relevance , Date , Most Cited , or Most Used for cases.

Viewing Results (continued)

Result list preferences • Hide search terms in result list	Result page options	Click the View Detail icon (☰) at the result page to choose from three levels of detail. Details varies by document type and may include the title and citation, search terms in context, and a document summary.
ResultsPlus® for search results	Related Documents	ResultsPlus technology is integrated into WestSearch, which finds and delivers related information. A sampling of the most relevant secondary sources, briefs, and trial court documents in your search result is listed under <i>Related Documents</i> in the right column of the result page.
Locate in Result	Search Within Results	Type a Boolean Terms and Connectors query in the <i>Search within results</i> text box in the left column of the result page and click Continue . Then click Apply Filters . Your original search terms are highlighted in yellow in the document and the terms used to narrow your result are highlighted in purple. Note: You can browse the documents in your search result by your original search terms, by the terms used to narrow your result, or by both.

Viewing Documents

Browsing by search term	Previous/next term	Click the Search term arrows on the document toolbar to view the portions of each document that contain your search terms.
Locate in Result	Search text in this document	Click the Search text in this document icon (🔍) on the document toolbar, type a Terms and Connectors query in the displayed search box, and click Search . Your search terms are highlighted in green.
Previous/next section	Previous/next section	Click the arrow to the right of the section symbol (§) on the document toolbar to view the next section of a statute, regulation, or treatise. Click the arrow to the left of the section symbol to view the previous section.
Go to Star Page	Go to Star Page	Click Go to on the document toolbar, then type a page number in the Page # text box and click Go .
Copy with Reference	Copy with Reference	Select the text you want to copy, then choose Copy with Reference from the menu. Paste the copied text, which includes its citation, into your word-processing document. Note: <i>Standard</i> citation format is the default; click the arrow next to Copy with Reference to choose from 13 other available formats.
Links tab	Related information tabs	The tabs at the top of a document contain related information (e.g., KeyCite® information, annotations, and court filings). To return to the full text of the document you were originally viewing, click the Document tab.
Prior versions of statutes and regulations	History tab	Click the History tab and choose Versions from the menu to view a list of prior versions of the statute or federal regulation.

Viewing Documents (continued)

Statute annotations <ul style="list-style-type: none"> • Notes of Decisions • References • Historical and Statutory Notes 	Statute annotations <ul style="list-style-type: none"> • Notes of Decisions • References • Legislative History Notes 	Statute annotations, except for credits, are not part of the full-text document on WestlawNext. They are included on the related information tabs for the statute. <ul style="list-style-type: none"> • Click the Notes of Decisions tab to view all notes of decisions, or click a topic under Notes of Decisions in the right column to view notes of decisions indexed under the topic. • Click the Context and Analysis tab to view references. • Click the History tab and choose Legislative History Materials from the menu to view relevant materials such as committee reports, floor testimony, and executive messages.
ResultsPlus for documents	Related Topics	ResultsPlus technology is integrated into WestSearch, which finds and delivers related information. Legal issues discussed in the document being viewed are listed under <i>Related Topics</i> in the right column. Where available, click a link in the right column to retrieve additional documents relevant to the issue.

Organizing and Sharing Research

<i>Not available</i>	Folders	<p>You can organize, manage and share your research using folders. To access folders, do one of the following:</p> <ul style="list-style-type: none"> • Click Folders at the top of a page and click view all in the menu to display the My Folders page. • Point to Folders at the top of a page and choose a folder from the menu. • Click the Project Folder icon () at the top of the page to display its contents. <p>To save a displayed document or snippet of text, click the Save to folder icon () on the document toolbar. Select the folder in which you want to save the document or snippet and click Save.</p> <p>To save documents in a result list, select the check boxes next to the documents you want to save and click the Save to Folder icon. Select the folder in which you want to save the documents and click Save.</p> <p>You can access a document or snippet of text in a folder at no charge for 12 months after the first time it is viewed in the folder. WestlawNext automatically updates the KeyCite information for the cases, statutes, regulations, and administrative decisions in your folders, as well as in WestlawNext folders you share.</p>
<i>Not available</i>	Sharing research folders	<p>To share folders within your organization or across organizations, access a folders page and click the Share icon () on the toolbar or click Options in the left column and choose Share from the drop-down list. Then add the person or group with whom you want to share the folder.</p>

Checking Citations

KeyCite this citation box	KeyCite command	Type keycite or kc followed by a citation in the search box at the top of the page (e.g., kc 118 sct 2196) and click Search .
KeyCite links on the Links tab	KeyCite tabs	Click the Negative Treatment tab to view the negative direct history and negative citing references for a case. Click the History tab to view the direct history of a case or the full history of a statute. Click the Citing References tab to view all citing references. Click the Filings tab to view court documents (e.g., briefs or pleadings) that cite a case.
KeyCite status flags	KeyCite status flags and descriptions	KeyCite flags still warn you of negative treatment; new flag descriptions tell you why. The description displayed next to the KeyCite flag at the top of the document indicates the most negative treatment affecting a document (e.g., <i>Reversed by Hat v. Depositors Ins. Co. 9th Cir. (Cal.), July 30, 2009</i>). This document is also marked with a red "Most Negative" banner (MOST NEGATIVE) in the Negative Direct History display. KeyCite flags are displayed on individual documents and next to document titles in a result list, folder, or History display.
		A red flag indicates a case is no longer good law for at least one point of law it contains or that a statute has been amended, repealed, superseded, held unconstitutional, or preempted.
		A yellow flag indicates a case has some negative history or that a statute has been renumbered, proposed legislation affecting it is available, or its validity has been called into doubt by a court.
H	No equivalent status flag	If a document has some history, the number of history documents is displayed on the History tab. Click the History tab to view the history of the document.
C	No equivalent status flag	If a document has citing references, the number of references is displayed on the Citing References tab. Click the Citing References tab to view all citing references.
Depth of treatment stars	Depth of treatment bar 	The depth of treatment bar indicates the extent to which the citing case, administrative decision, or brief discusses the cited case. The bar has four sections to indicate the extent to which the cited case is discussed.
KeyCite quotation marks	KeyCite quotation marks 	Quotation marks in a KeyCite result indicate that the citing case, administrative decision, or brief directly quotes the cited case.

Westlaw Classic**WestlawNext****Description of WestlawNext Interface, Feature, or Functionality**

Checking Citations (continued)

Direct History (Graphical View)	History (Graphical View)	Click the History tab. Direct appellate history for the case is displayed in a graphical display. The cases included in the direct history and related references are listed in the left column.
Limit KeyCite History Display	History views	On the History tab, choose a view (e.g., Negative Direct History) from the <i>View</i> drop-down list on the toolbar.
Citing References: Limit KeyCite Display	Citing References filters	<p>On the Citing References tab, click a content type in the left column under <i>View</i> to limit the citing references by content type (e.g., <i>Cases</i> or <i>Secondary Sources</i>). Depending on the content type you have chosen, you can further narrow your citing references by selecting a filter under <i>Narrow</i> in the left column (e.g., <i>Jurisdiction</i>, <i>Date</i>, <i>Depth of Treatment</i>, <i>Headnote Topics</i>, <i>Treatment Status</i>, and <i>Reported Status</i> for cases).</p> <p>Click the Citing References tab to view all citing references.</p> <p>To search for specific terms within the citing references, type a Terms and Connectors query in the <i>Search within results</i> text box in the left column and click Continue. Then click Apply Filters.</p>
Table of authorities		Under development.

Delivering Information

		Note: The delivery icon displayed on the document toolbar depends on the last delivery method selected. If you want to use this delivery method, simply click the icon.
Quick Print	Print	Click the Print icon or click the arrow next to the delivery icon and choose Print from the menu.
Print Document	Print	Click the Print icon or click the arrow next to the delivery icon and choose Print from the menu.
E-Mail Document	E-Mail	Click the Email icon or click the arrow next to the delivery icon and choose Email from the menu.
Download Document	Download	Click the Download icon or click the arrow next to the delivery icon and choose Download from the menu.
<i>Not available</i>	Kindle®	Click the Kindle icon or click the arrow next to the delivery icon and choose Kindle from the menu.
Print/Delivery Manager	Delivery queue	Print and download requests are saved in the delivery queue in the lower-right corner of the page until midnight of the current day and can be printed or downloaded at any time prior to expiration. To display the items in the delivery queue, click the View delivery queue icon. Click an item to print or download it.
Copy with Reference	Copy with Reference	Select the text you want to copy, then choose Copy with Reference from the menu. Paste the copied text, which includes its citation, into your word-processing document. Note: <i>Standard</i> citation format is the default; click the arrow next to Copy with Reference to choose from 13 other available formats.

Other Interface Items, Features, or Functionality

Help	Help	Click Help at the bottom of any page, then click Documentation to view comprehensive Help articles providing assistance to WestlawNext users.
Preferences	Preferences	Click Preferences at the bottom of any page to set your options for billing method, default sort order in your search result, preferred document format and other delivery options, or preferred citation format. Once set, preferences remain in place until you manually change them. Note: Many options (e.g., result page detail or delivery method) can be set or modified on the page they affect. There is no need to go to a separate page to set your preferences.
Research Trail	Research History	Click History at the top of any page, then in the left column click one of the following links: <ul style="list-style-type: none"> • Documents to display a list of documents you have viewed during the past year • Searches to display a list of searches you have run during the past year • All History to display a list of documents viewed, searches run, and other research events, such as KeyCite results viewed during the past year <p>KeyCite flags are displayed on documents in your History display. WestlawNext automatically updates the KeyCite information for your documents.</p>
Subscriber	Subscriber	Click the Tools tab at the home page and then click Subscriber Pricing Guide to view standard hourly and transactional pricing information for specific content categories.

More on Content

Content Organized by Categories

WestlawNext content is organized by category. Content categories are listed on tabs in the *Browse* section of the home page:

- All Content: The core legal content categories, plus dockets, news, and links to content on Westlaw Classic (e.g., public records and directories)
- Federal Materials: Content categories for federal jurisdictions (e.g., judicial circuits)
- State Materials: Content categories for each state, the District of Columbia, Guam and the Northern Mariana Islands, Puerto Rico, and the Virgin Islands
- Topics: Content categories for practice areas, such as Bankruptcy, Family Law, Pension and Retirement Benefits, and Tax
- Tools: Research tools, such as the West Key Number System, Subscriber, and links to Westlaw Classic resources not available on WestlawNext, such as Case Evaluator, Medical Litigator®, and PeopleMap.

When you click a content category link (e.g., **Illinois** on the State Materials tab), a corresponding tabbed search box is displayed at the top of the page. Type your search in the box to search all content listed on the page you are viewing.

More on Searching for Information

WestSearch

WestSearch, a search engine designed for law, searches the world's most comprehensive and authoritative collection of legal content. WestSearch incorporates 125 years of proprietary analysis of the law and tools like key numbers, KeyCite, headnotes, notes of decisions, and exclusive secondary sources, to deliver relevant documents that use phrasing differently from your query.

WestSearch identifies which documents are most relevant—using term matching, legal concepts, and document characteristics—and places the most relevant documents at the top of the list.

Content Available on WestlawNext

WestlawNext includes 14 core legal content categories, plus dockets; news; legislative history; sample agreements; directories, including Westlaw Profiler®; and international materials. The 14 core content categories are:

- Cases
- Statutes and Court Rules
- Regulations
- Administrative Decisions and Guidance
- Trial Court Orders
- Secondary Sources
- Forms
- Briefs
- Trial Court Documents
- Expert Materials
- Jury Verdicts and Settlements
- Proposed and Enacted Legislation
- Proposed and Adopted Regulations
- Arbitration Materials

If you do not specify a content category, you will automatically search all core content for the jurisdiction you choose.

Content Currently Available Only on Westlaw Classic

All content can be searched within or from WestlawNext. While the vast majority of content is integrated within WestlawNext, some content from Westlaw Classic is seamlessly displayed on or can be linked to from WestlawNext. Among the content and tools that are available via a link to Westlaw Classic are Public Records, PeopleMap, Court Wire, Patents, and 50 State Survey Builder. If you have any questions, please contact the Reference Attorneys.

Simplified Searching

On WestlawNext, you can use terms that describe your issue in the search box at the top of the page and click **Search**. WestSearch retrieves comprehensive results that are ranked by relevance.

Smart Searching

To locate the best documents for your research, WestSearch employs the following Thomson Reuters editorial enhancements and proprietary research tools, much as an expert researcher would, but faster:

- Key numbers
- KeyCite
- Added search terms
- Annotations
- Secondary sources
- Index references

1000 | Folders | History | Alerts | Sign Off

WestlawNext™

powered by WestSearch™

Q- Enter search terms, citations, databases, anything ... 8th Circuit SEARCH advanced

Browse

All Content Federal Materials State Materials Topics Tools

- Cases
- Statutes & Court Rules
- Regulations
- Administrative Decisions & Guidance
- Trial Court Orders
- Secondary Sources
- Forms
- Briefs
- Trial Court Documents
- Expert Materials
- Jury Verdicts & Settlements
- Proposed & Enacted Legislation
- Proposed & Adopted Regulations
- Arbitration Materials
- Dockets
- News
- Legislative History
- Sample Agreements
- Patents
- Public Records
- Trial & Oral Argument Transcripts
- Directories
- Business Information
- International Materials

My Research (3)

Favorites

THE EVOLUTION OF LEGAL TECHNOLOGY

Our blog series examines the current state of legal technology and where we are headed.

GO NOW

Q- tree branch across property line All State & Federal SEARCH advanced My Research (3)

VIEW:

Overview	15
Cases	235
Statutes	53
Regulations	52
Administrative Decisions & Guidance	10,000
Trial Court Orders	27
Secondary Sources	199
Forms	10
Briefs	152
Trial Court Documents	89
Expert Materials	9,237
Jury Verdicts & Settlements	4,230
Proposed & Enacted Legislation	10,000
Proposed & Adopted Regulations	1,751
Arbitration Materials	3,321
All Results	39,356

NARROW:

Apply Filters Cancel

Search within results

Q-

Browse core legal content categories to choose content to search.

Edit home page

Figure 1. WestlawNext home page

Core content categories

CLIENT | Folders | History | Alerts | Sign Off

WestlawNext™

powered by WestSearch™

Q- tree branch across property line All State & Federal SEARCH advanced My Research (3)

Cases (235)

1-20 Sort by: Relevance

Select all items No items selected

1. **Jones v. Wagner**
Superior Court of Pennsylvania | April 29, 1993 | 425 Pa.Super. 102 | 624 A.2d 166

Trespass. Adjoining landowners could use self-help remedy of trimming **branches** and limbs of encroaching **trees** without risk of liability and damages for doing so.

...Presence of **branches** and **trees** overhanging **property line** is "continuing" trespass...

...[4] The continuing presence of the **branches** and **trees** overhanging **property lines** indicates that the nature of the relief afforded to the aggrieved landowner is not limited to monetary relief...

2. **Whitesell v. Houlton**
Intermediate Court of Appeals of Hawai'i. | August 27, 1981 | 2 Haw.App. 365 | 632 P.2d 1077

Property owner brought action against neighboring **property** owner for damages caused to plaintiff's **property** by defendant's banyan **tree** and for the cost incurred by plaintiff in cutting **tree**...

...Houlton failed to respond to the letter in any manner; thus, in May 1976, the Whitesells hired a professional **tree** trimmer who cut the banyan's **branches** back to Houlton's **property line**...

...We hold that non-noxious plants ordinarily are not nuisances; that overhanging **branches** which merely cast shade or drop leaves, flowers, or fruit are not nuisances; that roots which interfere only with other plant life are not nuisances; that overhanging **branches** or protruding roots constitute a nuisance only when they actually cause, or there is 368imminent danger of them causing, sensible harm...

RELATED DOCUMENTS

Secondary Sources

Encroachment of trees, shrubbery, or other vegetation across boundary line

65 A.L.R.4th 603 (Originally published in 1988)

The ALR databases are made current by the weekly addition of relevant new cases.

American Law Reports ALR4th

...Under statutes governing nuisances, approval has been given to lower court orders for the removal of overhanging **tree branches** whose debris cluttered adjoining premises (§ 53[a]), while in another case involving fallen debris from a large oak **tree**, it has been held that the resulting maintenance of the adjacent premises met a nuisance statute's definition of interference with the enjoyment of property but, given the **tree's** utility to the property and to the neighborhood, as well as the potentially fatal affects of trimming its **branches** to the **property line**...

§ 8. Trees or plants on or near boundary line

Figure 2. WestlawNext result page