

## Research Tip – Words and Phrases

*“A word is not a crystal, transparent and unchanged, it is the skin of a living thought and may vary greatly in color and content according to the circumstances and the time in which it is used.”*

Justice Oliver Wendell Holmes, Jr., *Towne v. Eisner* 245 U.S. 418, 425 (1918)

Because many court decisions turn on the meaning of a single word or phrase it is imperative that the researcher be able to access those meanings in primary authority quickly, reliably, and conveniently. *Words and Phrases*, first published in 1940, is a kind of hybrid legal dictionary, a reference work that allows the researcher to locate the judicial meaning and usage of operative terms in appellate context. It is broad in range and contains more than 600,000 legal definitions, arranged alphabetically, from 1658 to date. *Words and Phrases* is what you might get if Black's and the Digest had a baby. Each word or phrase is followed by headnotes containing judicial definitions. A hardcopy set of more than fifty volumes is kept in the library and it is also in Westlaw. The hardcopies are supplemented with pocket parts.

While the headnotes represent what the editors judged to be the best representative examples there are more out there. To find them you can use Westlaw. Simply run a field restricted search, which will work for both case law and statutes. An example might look like this, WP(“abuse of discretion”). On the other hand, you can use the template in the Advanced Search.