# Introducing CaseBase's Paragraph Filter

Launched in June 2020, the Paragraph Filter is the latest enhancement for CaseBase® Case Citator on Lexis Advance.

The Paragraph Filter is a clear, powerful and interactive data visualisation. Columns represent the number of times a paragraph in the judgment has been subsequently cited.

Click on columns to see which cases have cited the selected passage. The table below the graph is filtered to provide details of the citing cases and the text of citing paragraphs.

The feature is available in the 'Cases referring to this case' table for Australian judgments handed down in or after 1998.
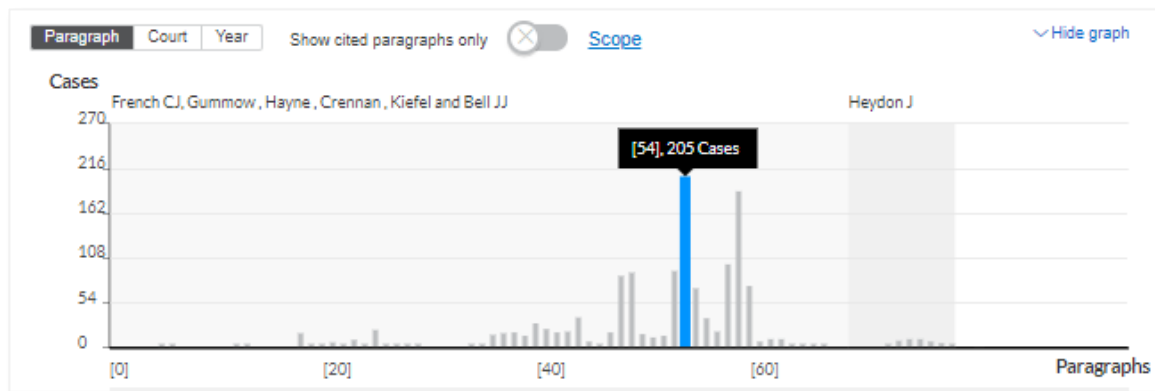
Key Benefits

Like an x-ray, the Paragraph Filter reveals the structure of a judgment and the location of key arguments.
- The start and end of Judges' opinions are clearly labelled in the graph.
- Data spikes providing insight into the location of ratio and obiter for rapid assessment.
- Data troughs steer lawyers away from portions of the judgment with less impact.

With greater precision in citation data, lawyers can make smarter choices about where to start their research and how to allocate their time. The filter makes it easier to focus on analysis of key passages and discontinue research as it generates diminishing returns.

The 'Narrow By' field is a powerful mechanism for tailoring the research to a lawyer's most pressing concern, whether it is tracing the development of an argument across citing cases, or checking whether the presiding judge has ever commented on a judgment before you rely on it.

Research is accelerated: jump straight to the discussion of key issues; quickly pare back the list of citing cases to see only those that continue the relevant discussion.

X marks the spot

Australia's foremost legal minds have read this case, and they think this paragraph is important.
Ignore them at your peril.

Follow the argument

The Paragraph Filter complements the 'Narrow By' field to give the user unprecedented power.

When you enter a search term to:

- The cases table is filtered to display citing cases which discuss your issue;

- Your search term appears in a green tile; and

- Green highlighting appears on columns in the filter, revealing the parts of the judgment cited by relevant cases.
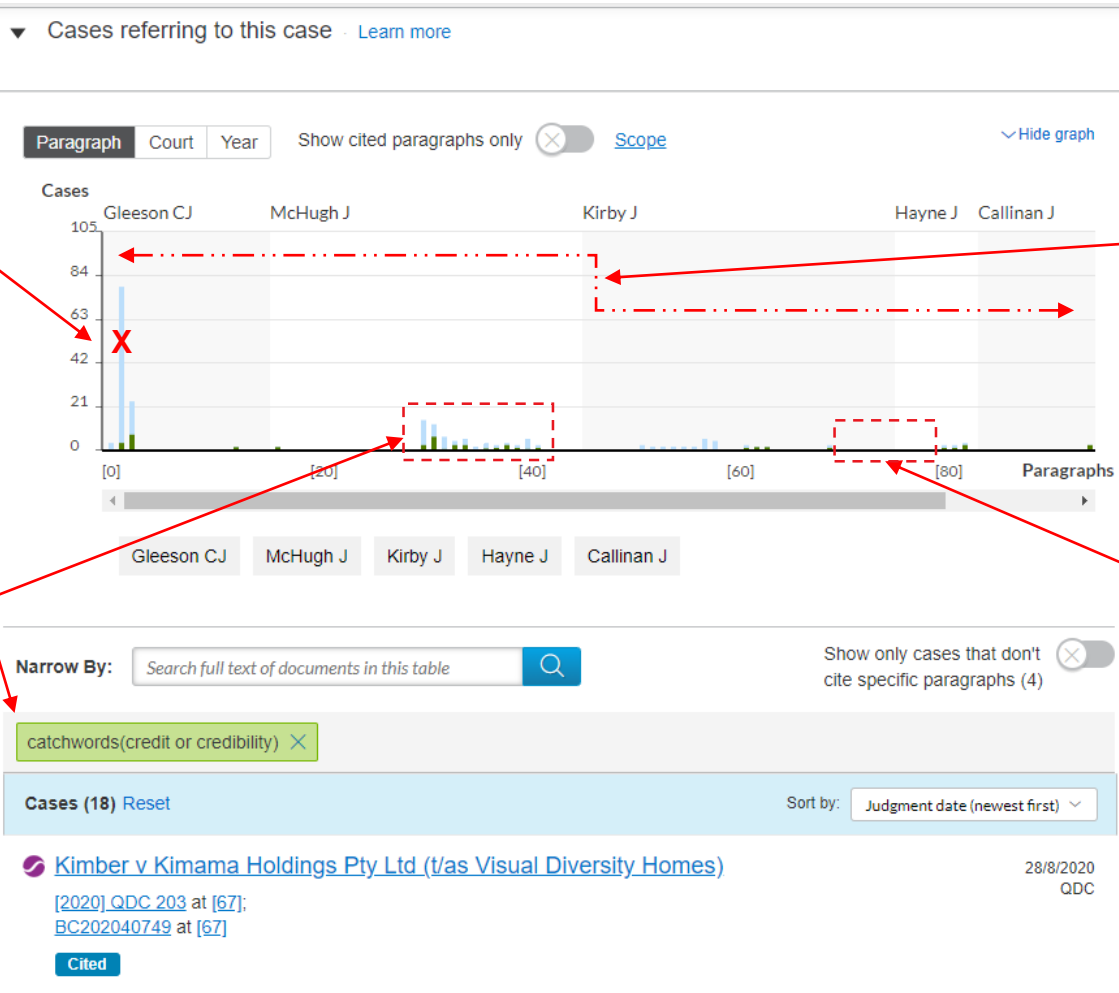
A heatmap of citations

Need to know how opinions written by specific judges have been treated over time? Or which judge wrote the opinion containing the ratio? Mapping citations against the body of the case provides *instant* insight.

No news is good news

Spend your research time wisely by skimming the uncontroversial portions and focusing on paragraphs with impact.

In this example, the researcher has narrowed the list of citing cases to show only cases which contain the words 'credit' and/or 'credibility' in their catchwords. This reveals 18 citing cases, which have tended to cite the last half of the opinion written by McHugh J.

The Paragraphs Citing Tab

----------------*NEW*----------------

From 1 Feb 2021, all users with CaseBase subscriptions on Lexis Advance have access to the new 'Paragraphs Citing' tab in relevant Australian cases.

The information comes to you

The new tab appears **after** the user has selected a paragraph from the filter above. Click on the tab to read the text of [2] to quickly determine if it is on point and worth further study.

Read excerpts from citing cases without leaving CaseBase.

Triage the list quickly by assessing whether [2] is cited within the context of a useful discussion, or merely mentioned in passing.
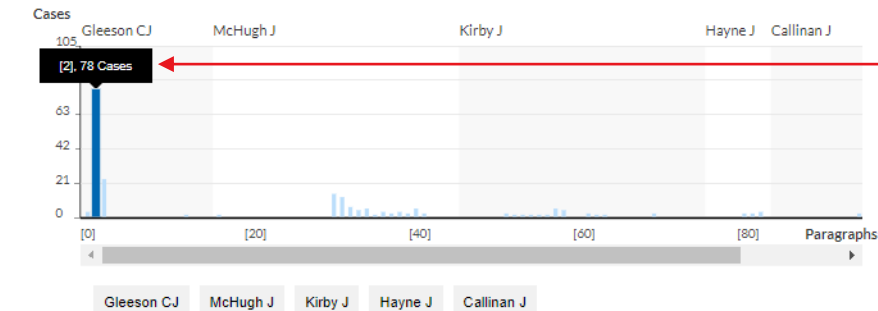
Clear data for a fast start

Select a column in the filter to see cases which cite the corresponding paragraph. Paragraph [2] is cited by 78 cases.

Need to reprioritise?

Default sort order is by judgment date, showing the latest cases first. Flip the order to see the oldest cases, or reprioritise based on court hierarchy, or CaseBase signal.

Grab and go

Once you've found a helpful citing case, click the case name to see more about it in CaseBase, select a parallel citation for a specific full text version, or click on the citing paragraph number to jump to its location in the full text case.

Cases

Gleeson CJ   McHugh J   Kirby J   Hayne J   Callinan J

[2], 78 Cases

Gleeson CJ   McHugh J   Kirby J   Hayne J   Callinan J

Narrow By: *Search full text of documents in this table*

Show only cases that don't cite specific paragraphs (49)

Cases citing [2] ✕

Cases (78)   **Paragraphs Citing [2]**

Sort by: Judgment date (newest first)

Cited Paragraph   Expand all paragraphs ⌄

[2]   The facts in issue in a civil action case emerge from the pleadings, which, in turn, are framed in the light of the legal principles governing the case. Facts relevant to facts in issue emerge from the particulars and the evidence. The function of particulars is not to expand the issues defined by the pleadings, but "to fill in the picture of the plaintiff's cause of action with information sufficiently detailed to put the defendant on his guard as to the case he has to meet and to enable him to prepare for trial" [1] . The function of evidence is to advance, or cut down, the case of a party in accordance with the rules of statute or common law that determine the nature of the information a court will receive. The primary rule of evidence is that a court will receive, and will only receive, evidence that is relevant to the issues as defined by the pleadings. Evidence is relevant if it could rationally affect, directly or indirectly, the assessment of the probability of the existence of a fact in issue in the proceeding [2] . The general rule that relevant evidence will be received is qualified by other rules based upon considerations of justice, or practicality. One such qualification limits investigation of collateral matters.

[1]   Bruce v Odhams Press Ltd [1936] 1 KB 697 at 712-713 per Scott LJ.

[2]   This is the definition of relevance in the Evidence Act 1995 (NSW). It is not materially different from that given by Sir James Stephen in his Digest of the Law of Evidence, 5th ed (1887), Art 1 at 2, and adopted by McHugh J in Palmer v The Queen (1998) 193 CLR 1 at 24 [55], fn 54.

Paragraphs Of Citing Cases (78)   Collapse ⌃

Volpe v R   16/10/2020 VSCA
[2020] VSCA 268 : BC202010080

[37]   As to the assessment of relevance, it is convenient to repeat what was said in *Paulino*: [12]

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